

Minutes

Policy Committee

Monday 7 September 2026

By signing these minutes I certify that they were confirmed at the Policy Committee held on Monday, 7 September 2026.

**FILOMENA PIFFARETTI
PRESIDING MEMBER**

TABLE OF CONTENTS

1	OFFICIAL OPENING	3
2	ACKNOWLEDGEMENT OF COUNTRY	3
3	ATTENDANCE	3
	3.1 Apologies	3
	3.2 Approved Leave of Absence	4
4	DISCLOSURE OF INTEREST SUMMARY	4
5	DELEGATED AUTHORITY BY COUNCIL	4
6	TERMS OF REFERENCE	4
7	CONFIRMATION OF MINUTES.....	5
8	METHOD OF DEALING WITH AGENDA BUSINESS	5
9	REPORTS.....	7
	9.1 Policy Schedule	7
	9.1.1 2026 Policy Review Schedule Progress Report.....	7
	9.2 Council Policies	11
	9.2.1 Policy Review: Street Verges	11
	9.2.2 Policy Review: Complaints Management.....	31
	9.2.3 Policy Review: Sports Turf Maintenance	45
	9.2.4 Policy Review: Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy	58
	9.3 Local Planning Policies.....	66
	9.3.1 New Local Planning Policy: Residential Development	66
10	GENERAL BUSINESS	99
11	NEXT MEETING	99
12	CLOSURE	99

Minutes of the Policy Committee of the Bayswater City Council which took place in the Committee Room, City of Bayswater Civic Centre, 61 Broun Avenue, Morley on Monday 7 September 2026.

1 OFFICIAL OPENING

The Presiding Member, Mayor Filomena Piffaretti, declared the meeting open at 5:33pm.

2 ACKNOWLEDGEMENT OF COUNTRY

Noongar Language

Ngalla City of Bayswater kaatanginy baalapa Noongar Boodja baaranginy, Wadjuk moort Noongar moort, boordiar's koora koora, boordiar's ye yay ba boordiar's boordawyn wah.

English Language Interpretation

We acknowledge the Traditional Custodians of the Land, the Whadjuk people of the Noongar Nation, and pay our respects to Elders past, present and emerging.

The Presiding Member, Mayor Filomena Piffaretti acknowledged the Traditional Custodians of the land, the Whadjuk people of the Noongar nation, and paid respects to Elders past, present and emerging.

3 ATTENDANCE

Presiding Member

Mayor Filomena Piffaretti

Members

Cr Cale Black
Cr Calla Loiacono
Cr Steven Ostaszewskyj
Cr Anthony Pittaway

Officers

Amanda Albrecht	A/Director Corporate Services
Ryan Hall	Director Community Services
Luke Botica	Director Infrastructure and Assets
Tami Cooper	A/Manager Governance and Strategy
Melissa Shaw	Manager Community Planning
Karen D'Cunha	Coordinator Governance (minute-taker)

3.1 Apologies

Cr Donovan MacDonald	
Jeremy Edwards	Chief Executive Officer
Kym Leahy	Director Corporate Services

3.2 Approved Leave of Absence

Councillor	Date of Leave	Authority
Cr Cale Black	15 April 2026 – 14 October 2026	s.2.25(5B) of the <i>Local Government Act 1995</i>

Cr Black was on approved leave of absence, however was available to attend the meeting.

4 DISCLOSURE OF INTEREST SUMMARY

In accordance with section 5.65 of the *Local Government Act 1995*:

A member who has an interest in any matter to be discussed at a Council or Committee meeting that will be attended by the member must disclose the nature of the interest -

- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

The following disclosures of interest were made at the meeting:

Name	Item No.	Type of Interest	Nature of Interest
Cr Cale Black	9.2.3	Impartial	I am a social member of Bayswater Bowls, Bedford Bowls and Bayswater Morley Districts Cricket Club, which are all mentioned in the report.
Cr Calla Loiacono	9.2.3	Impartial	I am a member of the Bayswater Morley Districts Cricket Club and a committee member of the Bedford Morley Cricket Club which are mentioned in the report.
Cr Anthony Pittaway	9.2.3	Impartial	I am a member of the Bayswater Bowling Club which is mentioned in the report.
Ryan Hall, Director Community Services	9.3.1	Impartial	I am a member of the Western Australian Planning Commission.

5 DELEGATED AUTHORITY BY COUNCIL

There are no items appearing in this agenda for which the Policy Committee has been granted delegated authority by Council in accordance with section 5.23(1)(b) of the *Local Government Act 1995 (WA)*.

6 TERMS OF REFERENCE

Purpose

The purpose of the Committee is to:

- Review City of Bayswater policies and facilitate the development of new policies for the consideration by Council as required.
- Make recommendations to Council on matters related to policy, policy review and policy development.

Membership

Six Elected Members

The quorum for this Committee is three members.

All other Councillors are appointed as Deputies.

Members must abide by the *City of Bayswater Code of Conduct for Council Members, Committee Members and Candidates*.

Delegated Authority

This Committee does not have any delegated authority. The Committee will make recommendations to Council on report items. Report items will then be presented for Council's consideration at the next available Ordinary Council meeting.

Meetings

Committee meetings are to be held in accordance with the *City of Bayswater Standing Orders Local Law 2021*.

The Committee shall meet at least quarterly at the City of Bayswater Civic Centre.

Liaison Officer

Chief Executive Officer

7 CONFIRMATION OF MINUTES**COMMITTEE RECOMMENDATION TO COUNCIL
(OFFICER'S RECOMMENDATION)**

The Minutes of the Policy Committee held on 8 June 2026 which have been distributed, be confirmed as a true and correct record.

Cr Steven Ostaszewskyj Moved, Cr Calla Loiacono Seconded

CARRIED UNANIMOUSLY: 5/0

For: Mayor Filomena Piffaretti, Cr Cale Black, Cr Calla Loiacono, Cr Steven Ostaszewskyj and Cr Anthony Pittaway.

Against: Nil.

8 METHOD OF DEALING WITH AGENDA BUSINESS

With the exception of items identified to be withdrawn for discussion, the remaining reports will be adopted by exception (enbloc).

An adoption by exception resolution may not be used for a matter:

- (a) in which an interest has been disclosed;
- (b) that has been the subject of a petition or deputation;
- (c) that is a matter on which a Member wishes to make a statement; or
- (d) that is a matter on which a Member wishes to move a motion that is different to the recommendation.

Withdrawn Items are shown below:

<u>Item</u>	<u>Reason for withdrawal</u>
9.1.1	A member wished to ask a question about the item
9.2.1	A member moved a motion that was different to the officer's recommendation.
9.2.3	Members had declared interests in the item
9.3.1	Members wished to ask questions about the item

Items 9.2.2 and 9.2.4 were carried en bloc.

9 REPORTS**9.1 Policy Schedule****9.1.1 2026 Policy Review Schedule Progress Report**

Responsible Branch:	Governance and Strategy
Responsible Directorate:	Office of the CEO
Authority/Discretion:	Information Purposes
Voting Requirement:	Simple Majority Required.
Attachments:	Nil
Refer:	Item: 10.6.1.1 OCM: 31 January 2023 Item: 10.5.1.1.3 OCM: 9 December 2025
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

This report monitors the progress of Policy Reviews against the Policy Review Schedule adopted by Council on 9 December 2025.

COMMITTEE RECOMMENDATION TO COUNCIL
(OFFICER'S RECOMMENDATION)

That Council notes:

- 1. The progress of Policy Reviews against the 2026 Policy Review Schedule.**
- 2. The draft Notice of Motion policy was presented to the Council Briefing held 4 August 2026, as requested at the Ordinary Council Meeting of 23 June 2026, and will not proceed to Council for further consideration.**

Cr Steven Ostaszewskyj Moved, Cr Calla Loiacono Seconded

CARRIED UNANIMOUSLY: 5/0

For: Mayor Filomena Piffaretti, Cr Cale Black, Cr Calla Loiacono, Cr Steven Ostaszewskyj and Cr Anthony Pittaway.

Against: Nil.

BACKGROUND

At its meeting of 10 November 2025, the Policy Committee recommended that Council adopt a policy schedule for 2026. The schedule was subsequently adopted by Council at its meeting of 9 December 2025.

EXTERNAL CONSULTATION

No consultation has occurred with the public or other agencies on this matter.

OFFICER'S COMMENTS

The progress of policy reviews under the 2026 Policy Review Schedule is outlined in the table below.

PC Meeting Date	Policy to be Reviewed	Review Status	Comment
9 February 2026	Use of City Information Resources	Complete	Council adopted the revised Policy at its meeting of 24 February 2026.
	Execution of Documents and Common Seal	Complete	Council adopted the revised Policy at its meeting of 24 February 2026.
	Code of Conduct Complaint Management	Complete	Council adopted the revised Policy at its meeting of 24 February 2026.
	Electronic Attendance	Complete	Council adopted the revised Policy at its meeting of 24 February 2026.
	Bedford North Design Guidelines	Complete	At its meeting of 24 February 2026, Council noted the WAPC refusal of R-Code modifications in the draft Policy, and that it would not come into effect.
	Community Facilities Lease and License User Agreement Policy	Complete	Council adopted the revised policy at its meeting of 23 June 2026.
8 June 2026	Sponsorship of City Assets, Services and Activities	Complete	Council repealed this Policy at its meeting of 23 June 2026
	Crossovers	Complete	Council adopted the revised Policy at its meeting of 23 June 2026
	Risk Management	Rescheduled to 2027	The <i>Risk Management Policy</i> will be presented to the Audit, Risk and Improvement Committee in December. Following this, it be considered by the Policy Committee.
	CCTV Management	Complete	Council adopted the revised <i>CCTV Management Policy</i> at its meeting of 23 June 2026.
	CEO Performance Review	Rescheduled to align with introduction of Regulations	The CEO Performance Review Policy will need to be reviewed once the Regulations relating to CEO Key Performance Indicators have been made as part of the reform of the <i>Local Government Act 1995</i> . As the Policy does not need to be applied until the CEO's performance review next year, rescheduling the review is not expected to create any governance, compliance or operational risk.

PC Meeting Date	Policy to be Reviewed	Review Status	Comment
7 September 2026	Senior and Executive Staff Attendance at Conferences, Seminars and Training	In progress	The <i>Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy</i> is presented for review at this meeting
	Sports Turf Maintenance	In progress	The <i>Sports Turf Maintenance Policy</i> is presented for review in the agenda for this meeting.
	Fraud, Corruption and Integrity	Rescheduled to 2027	The <i>Fraud, Corruption and Integrity Policy</i> will be presented to the Audit, Risk and Improvement Committee in December. Following this, it be considered by the Policy Committee.
	Loan Borrowing	Rescheduled to November Policy Committee meeting	Due to current resourcing constraints, the review of the Loan Borrowing Policy is proposed to be deferred to the November Policy Committee meeting. As the City does not currently plan for any new borrowings during 2026-27, the deferral is not expected to create a governance, financial, or operational risk.
	Complaint Management	In progress	The <i>Complaint Management Policy</i> is presented for review in the agenda for this meeting.
	Street Verges	In progress	Review of this Policy was brought forward by the Council at its meeting of 23 June 2026. The Policy is presented for review in the agenda for this meeting.
2 November 2026	Heritage Places	Review rescheduled to 2027	This Policy will be considered as part of a complete review of the City's Heritage Planning Framework in 2027, as supporting work for Local Planning Scheme 25.
	Local Heritage Fund	In progress	This Policy review is on track for 2 November 2026.
	Signage	In progress	This Policy review is on track for 2 November 2026
	Social Media	In progress	This Policy review is on track for 2 November 2026
	Investment	Review rescheduled to 2027	Officers have identified an administrative error in the document details for this Policy which incorrectly show that the Policy review is due in November 2026. The review of the Policy is not due until November of 2027,

PC Meeting Date	Policy to be Reviewed	Review Status	Comment
			and no policy changes are required at this time.

The *Residential Development Policy* is also presented in this agenda for final adoption following public advertising.

The draft *Notice of Motion Policy* was considered by Council at its meeting held on 23 June 2026. Council referred consideration of the Policy to a Council Briefing to enable feedback to be provided before the Policy was presented to the Policy Committee. The Policy was presented to Council at its briefing held on 4 August 2026, and Council advised the City that it did not support further consideration of the Policy. The draft Policy will therefore not proceed any further.

LEGISLATIVE COMPLIANCE

In accordance with section 2.7 of the *Local Government Act 1995* the role of Council is to determine a local government's policies.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Medium
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025 – 2035, the following applies:

Key Result Area: Leadership and Governance

Outcome 5.1 Good Governance

Objective 5.1.1 Provide ethical and accountable governance

CONCLUSION

This report monitors the progress of the policy reviews against the Policy Review Schedule adopted by Council on 9 December 2025.

9.2 Council Policies

9.2.1 Policy Review: Street Verges

Responsible Branch:	Transport and Buildings
Responsible Directorate:	Infrastructure and Assets
Authority/Discretion:	Legislative
Voting Requirement:	Simple Majority Required.
Attachments:	1. Current Policy [9.2.1.1 - 5 pages] 2. Draft Policy Showing Tracked Changes [9.2.1.2 - 5 pages] 3. Draft Policy [9.2.1.3 - 5 pages]
Refer:	Item: 10.5.1.1.1 OCM: 23.06.26
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

The purpose of this report is to present the outcomes of a review of the City's *Street Verges Policy* and seek Council adoption of the revised Policy. The review has been brought forward in response to Council's June 2026 OCM resolution and concerns raised regarding synthetic lawn as a verge treatment.

ADDITIONAL INFORMATION

In the Officer's Comments on this report, it is noted: *"Feedback and consensus on the best approach was obtained at the briefing, and the policy has now been amended in accordance with the preferred Option 3."* For clarity, the words *"and consensus"* have been removed to reflect that the Concept Forum provides an opportunity for discussion and feedback but is not a decision-making forum.

Recommendation Implications

The officer's recommendation remains unchanged.

OFFICER'S RECOMMENDATION

That Council adopts the revised *Street Verges Policy* as contained in Attachment 3.

MOTION

That Council adopts the revised *Street Verges Policy* as contained in Attachment 3 with clause 5(b) of the "Permissible Verge Treatments - Principles" amended from:

"Tree(s) is planted and maintained, so that, at maturity, they will provide canopy coverage sufficient to shade the entire synthetic lawn area. The City will plant and establish the tree(s) as part of its annual tree planting program, at the City's cost."

to:

"A tree or trees must be planted and maintained on the verge. The City will plant and establish the tree or trees, at its cost, as part of its annual tree planting program."

Cr Calla Loiacono Moved, Cr Steven Ostaszewskyj Seconded

Mayor Filomena Piffaretti proposed an amendment to include a policy scope that clarifies verges that were installed prior to the policy change in 2024 are not subject to the provisions of the policy.

As the amendment was accepted the by mover and seconder it became a part of the substantive motion.

COMMITTEE RECOMMENDATION TO COUNCIL

That Council adopts the revised *Street Verges Policy* as contained in Attachment 3 with the following amendments:

- 1. Clause 5(b) of the "Permissible Verge Treatments - Principles" amended from:**
"Tree(s) is planted and maintained, so that, at maturity, they will provide canopy coverage sufficient to shade the entire synthetic lawn area. The City will plant and establish the tree(s) as part of its annual tree planting program, at the City's cost."
to:
"A tree or trees must be planted and maintained on the verge. The City will plant and establish the tree or trees, at its cost, as part of its annual tree planting program."
- 2. A policy scope be included that clarifies verges that were installed prior to the policy change in 2024 are not subject to this policy.**

Cr Calla Loiacono Moved, Cr Steven Ostaszewskyj Seconded

CARRIED: 4/1

For: Mayor Filomena Piffaretti, Cr Calla Loiacono, Cr Steven Ostaszewskyj and Cr Anthony Pittaway.

Against: Cr Cale Black.

REASON FOR CHANGE

The Committee changed the officer's recommendation as it believed it would be difficult to identify whether a tree would provide sufficient canopy coverage at maturity to shade an entire synthetic lawn area and would create compliance and enforcement challenges. It also wanted to ensure it was clear that synthetic lawns installed in accordance with the policy before it was amended in 2024 were not required to comply with the provisions of the new policy.

BACKGROUND

Council at its June 2026 OCM meeting resolved:

That Council:

1. Notes the progress of Policy Reviews against the 2026 Policy Review Schedule; and
2. Requests that the CEO brings forward the review of the Street Verges Policy for consideration at the September 2026 Policy Committee meeting.

The review was requested to enable the City to consider concerns raised by residents, undertake further analysis, and provide recommendations to the Policy Committee and Council on the most appropriate response. The review also provides an opportunity to determine whether changes to the Policy are required to better reflect community expectations.

The City is responsible for the care, control and management of road verges under the City's local laws. While adjoining landowners may install permissible verge treatments, these must comply

with both the *Activities in Thoroughfares and Public Places and Trading Local Law 2020* and the City's *Street Verge Policy*.

The current *Street Verge Policy* was adopted in July 2024 and established two approval pathways:

- Deemed-to-comply verge treatments; and
- Verge treatments requiring assessment and approval by the city.

The Policy also introduced a prohibition on synthetic lawn as a permissible verge treatment.

While this reflects the City's environmental objectives, it also represented a significant departure from historical practice. For more than a decade, synthetic lawns had generally been accepted across the City and it is estimated that more than 60 properties have installed synthetic lawns on their verges.

EXTERNAL CONSULTATION

No consultation has yet occurred with the public or other agencies on this matter.

OFFICER'S COMMENTS

Since adoption of the Policy, the City has identified 21 new, non-compliant, synthetic lawn installations. Compliance action has commenced but has been placed on hold pending Council's consideration of the policy review. One resident has voluntarily removed their verge treatment.

KEY POINTS

The current Policy supports several important strategic objectives, including:

- Increasing urban tree canopy;
- Reducing the urban heat island effect;
- Improving biodiversity;
- Maintaining permeable landscapes;
- Supporting water-sensitive streetscapes; and
- Protecting opportunities for future street tree planting and public utility access.

These objectives remain important and continue to underpin the City's long-term environmental strategy while also facilitating the enhancement of streetscape appearance and quality.

However, implementation of the Policy has highlighted several practical challenges.

Residents who have recently installed synthetic lawns have expressed significant concern regarding the compliance process. Many have invested between \$3,000 and \$4,000 in what they believed was an attractive, low-maintenance verge treatment that reduced irrigation requirements and ongoing maintenance, particularly for elderly residents or those with limited physical capacity.

If the City continues to enforce the current prohibition, compliance action would ultimately need to recommence and may involve infringements, legal proceedings, removal of verge treatments and recovery of associated costs. This carries potential reputational risks, increased staff resources and media attention.

Furthermore, only properties brought to the City's attention have been investigated. Continuing the current approach may ultimately require a broader City-wide audit to ensure equitable application of the policy.

The review presents an opportunity to achieve both the City's environmental objectives and improved community acceptance.

Options regarding how synthetic lawns can be managed in the policy were presented to the Council briefing held on 4 August 2026. Four options were considered at the briefing:

1. Retain the current prohibition, which best supports environmental objectives but requires ongoing compliance and enforcement;
2. Allow synthetic lawns without conditions, which simplifies administration but significantly limits the City's ability to secure improved environmental outcomes;
3. Allow synthetic lawns conditionally with an appropriate balance between strategic environmental objectives and community expectations; or
4. Retain the current prohibition, but with a verge transition program to assist in the return of verges to permissible treatments that do not consist of synthetic lawn.

Feedback on the best approach was obtained at the briefing, and the policy has now been amended in accordance with the preferred Option 3.

Rather than viewing synthetic lawns as either fully prohibited or fully permitted, the policy has been amended to include a conditional approval framework that allows synthetic lawns only where broader environmental outcomes are achieved.

The amended policy allows synthetic lawns subject to the following conditions:

- Requiring additional verge trees where appropriate;
- Providing minimum mulch areas around tree trunks;
- Ensuring adequate permeability and stormwater drainage;
- Maintaining sufficient landscaping around utilities and infrastructure; and
- Requiring application for approval.

This approach would allow the City to use future verge developments (from July 2024) as an opportunity to increase tree canopy, improve shade, reduce heat impacts and maintain appropriate drainage outcomes, while recognising changing community preferences and reducing the need for extensive compliance action.

Importantly, it would also provide a consistent framework for future applications rather than relying solely on enforcement.

The following revisions are proposed to the Street Verges Policy:

Revision	Rationale
Amended the deemed-to-comply provisions to clarify that synthetic lawn is not automatically approved and requires an application for City approval.	To ensure synthetic lawn proposals are assessed against appropriate environmental, drainage, urban heat and tree canopy considerations before approval.
Clarified that verge treatments not listed as deemed-to-comply, or that do not meet the stated provisions, require an application for City approval.	To provide clearer guidance to residents and improve consistency in how verge treatment proposals are assessed.
Added specific assessment principles for synthetic lawn, including minimum permeability or alternative drainage requirements.	To reduce stormwater runoff impacts and ensure synthetic lawn treatments do not compromise the drainage function of the verge.

Revision	Rationale
Added requirements for tree planting and canopy coverage where synthetic lawn is proposed.	To offset the urban heat impacts of synthetic lawn and support the City's urban canopy objectives.
Added a requirement for synthetic lawn to be excluded from a minimum one metre radius around tree trunks and replaced with mulch or woodchips.	To protect existing and future street trees by maintaining water infiltration, soil health and root zone conditions.
Other minor changes including grammatical and document titles.	To ensure that the policy is complete.

A copy of the current policy is contained in **Attachment 1**.

A copy of the revised policy, with amendments shown in 'tracked changes' is provided in **Attachment 2**.

A copy of the revised policy, with amendments included, is provided in **Attachment 3**.

LEGISLATIVE COMPLIANCE

Local Government (Uniform Local Provisions) Regulations 1996.

Activities in Thoroughfares and Public Places and Trading Local Law 2020.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Medium
Reputation and Stakeholders	Medium	Medium
Service Delivery	Medium	Medium
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

FINANCIAL IMPLICATIONS

Any costs associated with administering the revised Policy and undertaking compliance activities will be managed through existing verge management budgets and operational resources.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025 – 2035, the following applies:

Key Result Area:	Built
Outcome 2.2	Built Infrastructure that Meets Current and Future Community Needs
Objective 2.2.1	Improve the amenity of our public spaces and streetscapes.

CONCLUSION

The proposed revisions to the *Street Verges Policy* provide more options for residents, and addresses concerns raised regarding synthetic lawn as an acceptable verge treatment. Adoption

of the revised Policy will enable the City to accommodate the residents that wish to provide a low-cost, low maintenance form of treatment and add to the tree canopy program for new treatments.



Street Verges Policy

Responsible Division	Infrastructure and Assets
Responsible Business Unit	Transport and Buildings, Parks and Environment
Responsible Officer	Parks and Gardens Manager, Transport Infrastructure Manager
Affected Business Units	Parks and Environment, Transport and Buildings
ECM Document Set ID	3372085

Purpose

This policy details the key considerations for the development, improvement, enhancement and maintenance of verges within the City of Bayswater. This policy must be read in conjunction with the City's 'Verge Greening Guidelines'.

To provide further detail and guidance on the installation and maintenance of verge treatments as allowed under the Activities on Thoroughfares and Public Places Local Law.

Definitions

Nil.

Policy Statement

The City of Bayswater defines verges as the portion of Crown land which lies between the edge of a road and the adjacent property line. The verge is an area important for access and services including utilities, crossovers, street trees and footpaths.

An owner or occupier who has land, where there is an adjacent verge area, may install a verge treatment in accordance with the provisions of the Activities on Thoroughfares and Public Places Local Law and this Policy.

Any existing Street Tree within a verge area shall be retained and any works on the verge around existing trees shall comply with Australian Standard AS 4970:2009 to ensure the tree/s are protected during the works occurring on the verge.

Approvals

It is a requirement under the *Local Government Act 1995* that permission is sought from a local government before any private works are undertaken on a public thoroughfare or local government land. In the case of verge treatments, the following shall apply:

Deemed to Comply – proposed verge treatments that meet the requirements of the Local Law and this Policy do not require an application to the City for approval and will be deemed to comply and approved.

Requiring application for City approval - proposed verge treatments (including any components of that treatment) that do not meet the requirements of the Local Law and this Policy will require an application to be made to the City for consideration for approval. The treatment will be considered and assessed against the principles as described in this Policy.

Permissible Verge Treatments - Deemed to Comply Provisions

Verge treatments that meet the following provisions are deemed to comply and are therefore approved without the need for application to the City:

1. The planting and maintenance of a natural lawn (artificial lawn is not permitted).
2. The planting and maintenance of a garden (acceptable gardens include native gardens, waterwise gardens, edible/vegetable gardens, raised garden beds). provided that –
 - a. Clear sight visibility is maintained at all times at intersections, crossovers and pathways. Plants to be kept at a maximum height of 0.75m and larger species lifted to a height of 1.5m in accordance with the City's Tree Pruning Guidelines for Residents.
 - b. Where there is no footpath, a pedestrian has a safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;
 - c. Raised garden beds meet the following requirements:
 - i. The maximum raised garden bed (built structure) height is 0.35m (not including vegetation);
 - ii. Provide a 0.5m setback from footpaths, crossovers and street trees;
 - iii. Provide a 0.5m setback and clear access to any other infrastructure such as power poles and underground services; and
 - iv. A dial before you dig check being undertaken prior to works.
3. Trees in accordance with the Urban Tree Planting and Maintenance Policy;
4. Low plants or ground covers, including shrubs or trees that do not restrict sight lines;
5. Brick paving (up to 30% of the verge area excluding driveways and pathways) and is accompanied by one or more trees capable of shading the full brick paved area when fully mature;
6. Woodchips;
7. Natural elements such as rocks or logs that do not present a hazard; and
8. A combination of the above.

Permissible Verge Treatments - Principles

The following principles are applicable to all verge treatments and shall be used by the City when considering applications for verge treatments that do not meet the deemed to comply provisions in this Policy:

1. Pedestrian and rider safety – the following shall apply to ensure that all pedestrians and riders within the vicinity of the verge treatment are not placed at any undue risk:
 - a. Where there is no pathway on the verge:
 - i. the treatment does not impede a pedestrian from traversing the verge in a safe manner.
 - ii. The treatment shall be constructed from materials that can be maintained in such a way

- as not to present a slip hazard for pedestrians traversing the verge.
- iii. Pedestrians can traverse the verge without being impacted by trip hazards.
 - b. Where there is a pathway:
 - i. The treatment shall be constructed from materials that can be maintained in such a way as not to present a slip hazard for pedestrians and riders using the pathway.
 - ii. The treatment shall not impact on sightlines of pedestrians and riders at crossings, including road crossings and at crossovers.
 - iii. The treatment shall not impact on the passage of pedestrians and other users of the pathway.
2. Vehicle safety – the following shall apply to ensure that all vehicles are not placed at any undue risk due to the verge treatment:
 - a. The treatment shall be constructed from materials that can be maintained in such a way that there is no spillage onto the kerb and roadway.
 - b. The treatment shall not impact on sightlines of vehicles entering and exiting properties and crossovers.
 - c. The treatment shall not impact on the passage of vehicles and other users on the roadway.
 3. Stormwater Management – treatments seeking more than 30% hardstand coverage of the verge area (excluding the crossover and pathway) shall take into consideration the impact of the verge treatment on the stormwater capacity in the immediate catchment area:
 - a. This is on the understanding that the road drainage system is designed to accommodate a blanket runoff coefficient of 50% for all verges.
 - b. Concessions may be agreed to through the provision of additional stormwater management measures such as the addition of soakwells and other engineered solutions.
 4. Urban Heat Island Effect – non-organic treatments, such as hardstand treatments shall incorporate extra trees to provide canopy coverage area sufficient to offset the non-organic treatment area.
 5. Under no circumstances is synthetic lawn permitted as a permissible verge treatment.

General Provisions applicable to all verge treatments

1. Undue hazards such as ropes, stakes and star pickets cannot be placed on the verge.
2. A walkable and rideable neighbourhood is a sustainability priority for the City of Bayswater. As such, pathway installation will have priority over verge treatments.
3. Owners from multiple dwellings on the same block all need to be in agreement before installing a permissible verge treatment.
4. If a verge treatment is considered to pose a safety hazard, does not meet the Local Law, Policy or Guidelines, the City of Bayswater will request the adjoining property owner to undertake required works or remove the non-compliant treatment. The City may also undertake works at any time on street verges non-compliant with the street verges policy with all associated costs borne by the property owner.
5. City will consider financial support for the development of waterwise verge gardens in partnership with the owner, grant funding bodies and the City consistent with grant funding body guidelines and budget consideration.
6. Verge treatments installations and maintenance shall be done safely and in accordance with safety

risk management principles that include any safety measures deemed necessary to protect the workers undertaking the work and the public.

Verge Maintenance

An owner or occupier of a property adjoining a verge containing a verge treatment are required to maintain the treatment and must keep the verge in a good and tidy condition. The City's Urban Tree Planting and Maintenance Policy is applicable to the maintenance of street trees. The City provides programmed maintenance for Verges along arterial roads due to the higher risks associated with working close to traffic on these roads and the City's desire to maintain a uniform standard of presentation on these busier roads. A list of these roads can be found on the City's Verge Greening Guidelines.

The City of Bayswater may also periodically mow verges other than those listed within the Verge Greening Guidelines as directed by the Chief Executive Officer or Director Infrastructure and Assets. This is subject to the owner being a resident of the property and demonstrating an inability to mow the verge, or if the verge is a fire hazard or creates visibility issues for traffic.

All other requests will be progressed in accordance with clauses 3.1 to 3.4 of the *Local Laws for Activities on Thoroughfares*.

Related Legislation

Nil.

Related Documentation

Verge Greening Guidelines
Activities on Thoroughfares and Public Places Local Law 2020
Urban Tree Planting and Maintenance Policy

Document details

Relevant delegations	LL-D01 Local Laws General Administration
Risk evaluation	Low
Strategic link	E1: Maintain the identity and heritage of our neighbourhoods while supporting an increase in high quality density around transport nodes.
Council adoption	23 April 1996
Reviewed/modified	27 June 2006
Reviewed/modified	26 February 2008
Reviewed/modified	17 March 2016
Reviewed/modified	15 November 2016
Reviewed/modified	22 February 2017

Reviewed/modified	9 April 2019
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Reviewed/modified	23 July 2024
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Next review due	July 2028
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Current



Street Verges Policy

Responsible Division	Infrastructure and Assets
Responsible Business Unit	Transport and Buildings, Parks and Environment
Responsible Officer	Parks and Gardens Manager, Transport Infrastructure Manager
Affected Business Units	Parks and Environment, Transport and Buildings
ECM Document Set ID	3372085

Purpose

This policy details the key considerations for the development, improvement, enhancement and maintenance of verges within the City of Bayswater. This policy must be read in conjunction with the City's 'Verge Greening Guidelines'.

To provide further detail and guidance on the installation and maintenance of verge treatments as allowed under the *Activities on Thoroughfares and Public Places Local Law* [2020](#).

Definitions

Nil.

Policy Statement

The City of Bayswater defines verges as the portion of Crown land which lies between the edge of a road and the adjacent property line. The verge is an area important for access and services including utilities, crossovers, street trees and footpaths.

An owner or occupier who has land, where there is an adjacent verge area, may install a verge treatment in accordance with the provisions of the *Activities on Thoroughfares and Public Places Local Law* and this Policy.

Any existing Street Tree within a verge area shall be retained and any works on the verge around existing trees shall comply with *Australian Standard AS 4970:2009* to ensure the tree/s are protected during the works occurring on the verge.

Approvals

It is a requirement under the *Local Government Act 1995* that permission is sought from a local government before any private works are undertaken on a public thoroughfare or local government land. In the case of verge treatments, the following shall apply:

Deemed to Comply – proposed verge treatments that meet the requirements of the Local Law and this Policy do not require an application to the City for approval and will be deemed to comply and approved.

Requiring application for City approval - proposed verge treatments (including any components of that treatment) that do not meet the requirements of the Local Law and this Policy will require an application to be made to the City for consideration for approval. The treatment will be considered and assessed against the principles as described in this Policy.

Permissible Verge Treatments - Deemed to Comply Provisions

Verge treatments that meet the following provisions are deemed to comply and are therefore approved without the need for application to the City:

1. The planting and maintenance of a natural lawn. Synthetic lawn is only permitted where it satisfies the requirements in clause 5 of the Principles section. Any proposed treatments that include synthetic lawn will require application for City approval (artificial lawn is not permitted).
2. The planting and maintenance of a garden (acceptable gardens include native gardens, waterwise gardens, edible/vegetable gardens, raised garden beds). provided that –
 - a. Clear sight visibility is maintained at all times at intersections, crossovers and pathways. Plants to be kept at a maximum height of 0.75m and larger species lifted to a height of 1.5m in accordance with the City's Tree Pruning Guidelines for Residents.
 - b. Where there is no footpath, a pedestrian has a safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;
 - c. Raised garden beds meet the following requirements:
 - i. The maximum raised garden bed (built structure) height is 0.35m (not including vegetation);
 - ii. Provide a 0.5m setback from footpaths, crossovers and street trees;
 - iii. Provide a 0.5m setback and clear access to any other infrastructure such as power poles and underground services; and
 - iv. A dial before you dig check being undertaken prior to works.
3. Trees in accordance with the Urban Tree Planting and Maintenance Policy;.
4. Low plants or ground covers, including shrubs or trees that do not restrict sight lines;.
5. Brick paving (up to 30% of the verge area excluding driveways and pathways) and is accompanied by one or more trees capable of shading the full brick paved area when fully mature;.
6. Woodchips;.
7. Natural elements such as rocks or logs that do not present a hazard; and.
8. A combination of the above.

Proposed verge treatment proposals that include components not listed above, or do not otherwise meet the above provisions, will require an application for City approval.

Permissible Verge Treatments - Principles

The following principles are applicable to all verge treatments and shall be used by the City when considering applications for verge treatments that do not meet the deemed to comply provisions in this Policy:

1. Pedestrian and rider safety – the following shall apply to ensure that all pedestrians and riders within

the vicinity of the verge treatment are not placed at any undue risk:

- a. Where there is no pathway on the verge:
 - i. the treatment does not impede a pedestrian from traversing the verge in a safe manner.
 - ii. The treatment shall be constructed from materials that can be maintained in such a way as not to present a slip hazard for pedestrians traversing the verge.
 - iii. Pedestrians can traverse the verge without being impacted by trip hazards.
- b. Where there is a pathway:
 - i. The treatment shall be constructed from materials that can be maintained in such a way as not to present a slip hazard for pedestrians and riders using the pathway.
 - ii. The treatment shall not impact on sightlines of pedestrians and riders at crossings, including road crossings and at crossovers.
 - iii. The treatment shall not impact on the passage of pedestrians and other users of the pathway.
2. Vehicle safety – the following shall apply to ensure that all vehicles are not placed at any undue risk due to the verge treatment:
 - a. The treatment shall be constructed from materials that can be maintained in such a way that there is no spillage onto the kerb and roadway.
 - b. The treatment shall not impact on sightlines of vehicles entering and exiting properties and crossovers.
 - c. The treatment shall not impact on the passage of vehicles and other users on the roadway.
3. Stormwater Management – treatments seeking more than 30% hardstand coverage of the verge area (excluding the crossover and pathway) shall take into consideration the impact of the verge treatment on the stormwater capacity in the immediate catchment area:
 - a. This is on the understanding that the road drainage system is designed to accommodate a blanket runoff coefficient of 50% for all verges.
 - b. Concessions may be agreed to through the provision of additional stormwater management measures such as the addition of soakwells and other engineered solutions.
4. Urban Heat Island Effect – non-organic treatments, such as hardstand treatments shall incorporate extra trees to provide canopy coverage area sufficient to offset the non-organic treatment area.
5. ~~Under no circumstances is s~~Synthetic lawn may be permitted as a permissible verge treatment where it satisfies the following requirements:
 - a. The synthetic lawn is at least 50% permeable, or alternative drainage is provided to the satisfaction of the City.
 - b. Tree(s) is planted and maintained so that, at maturity, they will provide canopy coverage sufficient to shade the entire synthetic lawn area. The City will plant and establish the tree(s) as part of its annual tree planting program, at the City's cost.
 - c. Synthetic lawn must be excluded from the area surrounding each tree, measured as a minimum one metre radius from the tree trunk. This area is to be covered with mulch or woodchips. The City may assist with the supply of mulch or woodchip.

General Provisions applicable to all verge treatments

1. Undue hazards such as ropes, stakes and star pickets cannot be placed on the verge.

2. A walkable and rideable neighbourhood is a sustainability priority for the City of Bayswater. As such, pathway installation will have priority over verge treatments.
3. Owners from multiple dwellings on the same block all need to be in agreement before installing a permissible verge treatment.
4. If a verge treatment is considered to pose a safety hazard, does not meet the Local Law, Policy or Guidelines, the City of Bayswater will request the adjoining property owner to undertake required works or remove the non-compliant treatment. The City may also undertake works at any time on street verges non-compliant with the street verges policy with all associated costs borne by the property owner.
5. City will consider financial support for the development of waterwise verge gardens in partnership with the owner, grant funding bodies and the City consistent with grant funding body guidelines and budget consideration.
6. Verge treatments installations and maintenance shall be done safely and in accordance with safety risk management principles that include any safety measures deemed necessary to protect the workers undertaking the work and the public.

Verge Maintenance

An owner or occupier of a property adjoining a verge containing a verge treatment are required to maintain the treatment and must keep the verge in a good and tidy condition. The City's Urban Tree Planting and Maintenance Policy is applicable to the maintenance of street trees. The City provides programmed maintenance for Verges along arterial roads due to the higher risks associated with working close to traffic on these roads and the City's desire to maintain a uniform standard of presentation on these busier roads. A list of these roads can be found on the City's Verge Greening Guidelines.

The City of Bayswater may also periodically mow verges other than those listed within the Verge Greening Guidelines as directed by the Chief Executive Officer or Director Infrastructure and Assets. This is subject to the owner being a resident of the property and demonstrating an inability to mow the verge, or if the verge is a fire hazard or creates visibility issues for traffic.

All other requests will be progressed in accordance with clauses 3.1 to 3.4 of the *Local Laws for Activities on Thoroughfares and Public Places Local Law 2020*.

Related Legislation

Nil.

Related Documentation

Verge Greening Guidelines
Activities on Thoroughfares and Public Places Local Law 2020
Urban Tree Planting and Maintenance Policy

Document details

Relevant delegations LL-D01 Local Laws General Administration

Risk evaluation Low

Strategic link	E1: Maintain the identity and heritage of our neighbourhoods while supporting an increase in high quality density around transport nodes.
Council adoption	23 April 1996
Reviewed/modified	27 June 2006
Reviewed/modified	26 February 2008
Reviewed/modified	17 March 2016
Reviewed/modified	15 November 2016
Reviewed/modified	22 February 2017
Reviewed/modified	9 April 2019
Reviewed/modified	23 July 2024
Next review due	July 2028



Street Verges Policy

Responsible Division	Infrastructure and Assets
Responsible Business Unit	Transport and Buildings, Parks and Environment
Responsible Officer	Parks and Gardens Manager, Transport Infrastructure Manager
Affected Business Units	Parks and Environment, Transport and Buildings
ECM Document Set ID	3372085

Purpose

This policy details the key considerations for the development, improvement, enhancement and maintenance of verges within the City of Bayswater. This policy must be read in conjunction with the City's 'Verge Greening Guidelines'.

To provide further detail and guidance on the installation and maintenance of verge treatments as allowed under the *Activities on Thoroughfares and Public Places Local Law 2020*.

Definitions

Nil.

Policy Statement

The City of Bayswater defines verges as the portion of Crown land which lies between the edge of a road and the adjacent property line. The verge is an area important for access and services including utilities, crossovers, street trees and footpaths.

An owner or occupier who has land, where there is an adjacent verge area, may install a verge treatment in accordance with the provisions of the *Activities on Thoroughfares and Public Places Local Law 2020* and this Policy.

Any existing Street Tree within a verge area shall be retained and any works on the verge around existing trees shall comply with *Australian Standard AS 4970:2009* to ensure the tree/s are protected during the works occurring on the verge.

Approvals

It is a requirement under the *Local Government Act 1995* that permission is sought from a local government before any private works are undertaken on a public thoroughfare or local government land. In the case of verge treatments, the following shall apply:

Deemed to Comply – proposed verge treatments that meet the requirements of the Local Law and this Policy do not require an application to the City for approval and will be deemed to comply and approved.

Requiring application for City approval - proposed verge treatments (including any components of that treatment) that do not meet the requirements of the Local Law and this Policy will require an application to be made to the City for consideration for approval. The treatment will be considered and assessed against the principles as described in this Policy.

Permissible Verge Treatments - Deemed to Comply Provisions

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2. The planting and maintenance of a garden (acceptable gardens include native gardens, waterwise gardens, edible/vegetable gardens, raised garden beds) provided that:
 - a. Clear sight visibility is maintained at all times at intersections, crossovers and pathways. Plants to be kept at a maximum height of 0.75m and larger species lifted to a height of 1.5m in accordance with the City's Tree Pruning Guidelines for Residents.
 - b. Where there is no footpath, a pedestrian has a safe and clear access of a minimum width of 2m along that part of the verge immediately adjacent to the kerb;
 - c. Raised garden beds meet the following requirements:
 - i. The maximum raised garden bed (built structure) height is 0.35m (not including vegetation);
 - ii. Provide a 0.5m setback from footpaths, crossovers and street trees;
 - iii. Provide a 0.5m setback and clear access to any other infrastructure such as power poles and underground services; and
 - iv. A dial before you dig check being undertaken prior to works.
3. Trees in accordance with the Urban Tree Planting and Maintenance Policy.
4. Low plants or ground covers, including shrubs or trees that do not restrict sight lines.
5. Brick paving (up to 30% of the verge area excluding driveways and pathways) and is accompanied by one or more trees capable of shading the full brick paved area when fully mature.
6. Woodchips.
7. Natural elements such as rocks or logs that do not present a hazard.
8. A combination of the above.

Proposed verge treatment proposals that include components not listed above, or do not otherwise meet the above provisions, will require an application for City approval.

Permissible Verge Treatments - Principles

The following principles are applicable to all verge treatments and shall be used by the City when considering applications for verge treatments that do not meet the deemed to comply provisions in this Policy:

1. Pedestrian and rider safety – the following shall apply to ensure that all pedestrians and riders within

the vicinity of the verge treatment are not placed at any undue risk:

- a. Where there is no pathway on the verge:
 - i. the treatment does not impede a pedestrian from traversing the verge in a safe manner.
 - ii. The treatment shall be constructed from materials that can be maintained in such a way as not to present a slip hazard for pedestrians traversing the verge.
 - iii. Pedestrians can traverse the verge without being impacted by trip hazards.
 - b. Where there is a pathway:
 - i. The treatment shall be constructed from materials that can be maintained in such a way as not to present a slip hazard for pedestrians and riders using the pathway.
 - ii. The treatment shall not impact on sightlines of pedestrians and riders at crossings, including road crossings and at crossovers.
 - iii. The treatment shall not impact on the passage of pedestrians and other users of the pathway.
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 - a. This is on the understanding that the road drainage system is designed to accommodate a blanket runoff coefficient of 50% for all verges.
 - b. Concessions may be agreed to through the provision of additional stormwater management measures such as the addition of soakwells and other engineered solutions.
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 - a. The synthetic lawn is at least 50% permeable, or alternative drainage is provided to the satisfaction of the City.
 - b. Tree(s) is planted and maintained so that, at maturity, they will provide canopy coverage sufficient to shade the entire synthetic lawn area. The City will plant and establish the tree(s) as part of its annual tree planting program, at the City's cost.
 - c. Synthetic lawn must be excluded from the area surrounding each tree, measured as a minimum one metre radius from the tree trunk. This area is to be covered with mulch or woodchips. The City may assist with the supply of mulch or woodchip.

General Provisions applicable to all verge treatments

1. Undue hazards such as ropes, stakes and star pickets cannot be placed on the verge.
2. A walkable and rideable neighbourhood is a sustainability priority for the City of Bayswater. As such, pathway installation will have priority over verge treatments.
3. Owners from multiple dwellings on the same block all need to be in agreement before installing a permissible verge treatment.
4. If a verge treatment is considered to pose a safety hazard, does not meet the Local Law, Policy or Guidelines, the City of Bayswater will request the adjoining property owner to undertake required works or remove the non-compliant treatment. The City may also undertake works at any time on street verges non-compliant with the street verges policy with all associated costs borne by the property owner.
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6. Verge treatments installations and maintenance shall be done safely and in accordance with safety risk management principles that include any safety measures deemed necessary to protect the workers undertaking the work and the public.

Verge Maintenance

An owner or occupier of a property adjoining a verge containing a verge treatment are required to maintain the treatment and must keep the verge in a good and tidy condition. The City's Urban Tree Planting and Maintenance Policy is applicable to the maintenance of street trees. The City provides programmed maintenance for Verges along arterial roads due to the higher risks associated with working close to traffic on these roads and the City's desire to maintain a uniform standard of presentation on these busier roads. A list of these roads can be found on the City's Verge Greening Guidelines.

The City of Bayswater may also periodically mow verges other than those listed within the Verge Greening Guidelines as directed by the Chief Executive Officer or Director Infrastructure and Assets. This is subject to the owner being a resident of the property and demonstrating an inability to mow the verge, or if the verge is a fire hazard or creates visibility issues for traffic.

All other requests will be progressed in accordance with clauses 3.1 to 3.4 of the *Local Laws for Activities on Thoroughfares and Public Places Local Law 2020*.

Related Legislation

Nil.

Related Documentation

Verge Greening Guidelines
Activities on Thoroughfares and Public Places Local Law 2020
Urban Tree Planting and Maintenance Policy

Document details

Relevant delegations	LL-D01 Local Laws General Administration
Risk evaluation	Low
Strategic link	E1: Maintain the identity and heritage of our neighbourhoods while supporting an increase in high quality density around transport nodes.
Council adoption	23 April 1996
Reviewed/modified	27 June 2006
Reviewed/modified	26 February 2008
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Reviewed/modified	15 November 2016
Reviewed/modified	22 February 2017
Reviewed/modified	9 April 2019
Reviewed/modified	23 July 2024
Next review due	July 2028

9.2.2 Policy Review: Complaints Management

Responsible Branch:	Communications, Engagement and Customer Relations
Responsible Directorate:	Corporate Services
Authority/Discretion:	Review
Voting Requirement:	Simple Majority Required
Attachments:	1. Current Policy [9.2.2.1 - 4 pages] 2. Draft Policy [9.2.2.2 - 6 pages]
Officer Declaration:	The officers involved in drafting and reviewing this report do not have any financial interests to disclose in the item.

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

This report presents a revised *Complaints Management Policy* for consideration.

The proposed changes to the policy respond to new provisions relating to unreasonable complaints introduced as part of the *Local Government Amendment Act 2024* reforms and associated regulations that commenced on 1 January 2026.

Under Part 10A of the *Local Government (Administration) Regulations 1996 (WA)*, a CEO can declare a complaint unreasonable if it has been previously responded to or if the complaint is assessed as vexatious, misconceived, frivolous or without substance. A person can be restricted from communicating with the local government about that matter for a period determined by the CEO.

The revised *Complaints Management Policy* provides clearer guidance on the overall management of complaints.

COMMITTEE RECOMMENDATION TO COUNCIL **(OFFICER'S RECOMMENDATION)**

That Council adopt the revised *Complaints Management Policy* as contained in Attachment 2.

Cr Cale Black Moved, Cr Calla Loiacono Seconded

CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 5/0

For: Mayor Filomena Piffaretti, Cr Cale Black, Cr Calla Loiacono, Cr Steven Ostaszewskyj and Cr Anthony Pittaway.

Against: Nil.

BACKGROUND

The City's current *Complaints Management Policy* (**Attachment 1**) provides a framework for the management of complaints from customers and stakeholders.

A review of the policy has been undertaken to ensure it is fit-for-purpose, reflects current practice and aligns with new legislation relating to the handling of unreasonable complaints.

The revised policy provides clearer guidance on the overall management of complaints, including their resolution, review and reporting for business improvement purposes.

Changes to the policy respond to Part 10A of the *Local Government (Administration) Regulations 1996 (WA)* and will enable the CEO to declare a complaint unreasonable if it has been previously

responded to or if the complaint is assessed as vexatious, misconceived, frivolous or without substance. A person can now be restricted from communicating with the City about that matter for a period of time determined by the CEO. This intends to ensure the handling of complaints do not divert an unreasonable portion of the City's resources.

EXTERNAL CONSULTATION

No consultation has occurred with the public or other agencies on this matter.

OFFICER'S COMMENTS

The following revisions are proposed to the Complaints Management Policy.

Revision	Rationale
The Purpose has been updated to include reference to customer service excellence and continuous improvement.	The purpose more clearly describes what the Policy is intended to achieve. It now focuses on effective complaints handling as part of the City's commitment to customer service excellence and continuous improvement.
The Objectives have been updated to reference the corporate values, Customer Service Charter, accessibility, best practice and legislative compliance and unreasonable complaints handling.	The objectives ensure the practice of complaints handling at the City is aligned with its corporate values and Customer Service Charter, the complaint process is accessible to our community, reflects best practice and complies with legislative requirements. A new objective of the policy is to ensure the City has a clear process for handling unreasonable complaints to prevent the diversion of a disproportionate amount of City resources. This aligns with new legislation that enables the CEO to restrict communication with a person if their complaint is deemed unreasonable.
The Scope has been updated to reference complaints made by or about City employees that relate to suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour or complaints made in relation to the <i>Privacy and Responsible Information Sharing Act 2024 (WA)</i> . Feedback gained as part of community consultation and matters currently or previously dealt with by a court, tribunal or external complaints agency were added to the list of items not considered a complaint.	The Scope was redefined for clarity with complaints made by or about City employees that relate to suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour or privacy complaints now out of scope. As feedback gained as part of community consultation or matters currently or previously dealt with by a court, tribunal or external complaints agency are dealt with by a separate process these are not considered a complaint.
The Definitions were updated to include unreasonable and vexatious complaint definitions and remove customer and employee definitions.	New definitions were required to support the new scope of the policy. The definitions of customer and employee were removed as they are self-explanatory.
The Policy Statement was rewritten and now includes new sections on complaint management, complaints	A section on unreasonable complaints includes changes under Part 10A of the <i>Local Government (Administration) Regulations 1996 (WA)</i> , where a CEO can declare a complaint unreasonable if it has been previously

resolution, request for review, unreasonable complaints, lodging a complaint, anonymous complaints, recording complaints, privacy and confidentiality, Freedom of Information and accessible complaints.	responded to or if the complaint is assessed as vexatious, misconceived, frivolous or without substance. The CEO can now restrict communication with a person if they are satisfied continuing to respond would divert an unreasonable proportion of the local government's resources from its other operations. Information on how the CEO can provide notice to the person making the unreasonable complaint in line with Regulation 37A of the Administration Regulations is included.
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Due to the substantial number of changes, a copy of the policy with amendments shown as 'tracked changes' has not been provided.

A copy of the existing *Complaints Management Policy* is contained in **Attachment 1**.

A copy of the proposed revised *Complaints Management Policy* is provided in **Attachment 2**.

LEGISLATIVE COMPLIANCE

- *Local Government Act 1995 (WA)*
- *Local Government (Administration) Regulations 1996 (WA)*
- *Freedom of Information Act 1992 (WA)*
- *State Records Act 2000*
- *Privacy and Responsible Information Sharing Act 2024 (WA)*

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Medium
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025 – 2035, the following applies:

Key Result Area: Leadership and Governance
Outcome 5.2 Stakeholder Leadership
Objective 5.2.2 Provide excellent customer service and ensure the City is easy to do business with.

Outcome 5.3 Optimised Performance
Objective 5.3.2 Maintain a valued, safe and skilled workforce.

CONCLUSION

It is recommended that Council adopt the revised *Complaints Management Policy* as contained in **Attachment 2**.



Complaint Management Policy

Responsible Division	Community and Development
Responsible Business Unit	Community Development
Responsible Officer	Manager Community Development
Affected Business Units	All Business Units
ECM Document Set ID	4549365

Purpose

This policy sets out how the City of Bayswater (the City) will effectively and appropriately engage in the handling and management of complaints received from customers and stakeholders.

Objectives

1. To provide a framework that will ensure complaints are managed quickly, fairly and respectfully from the time of receipt through to an outcome and enable the City to use complaint data to improve business practices and increase customer satisfaction levels.
2. To ensure community confidence in how the City handles complaints by implementing processes that ensure transparency and reinforce accountability.

Scope

1. This policy is for complaints relating to the City of Bayswater, its services and standard of services. This includes complaints regarding:
 - (a) Decisions made by City employees;
 - (b) The conduct of City employees; and
 - (c) City practices, policies and procedures.
2. The items listed below are outside the scope of this policy and covered by a separate process.
 - (a) A request for City services;
 - (b) A request for documents, information or explanation of policies or procedures;
 - (c) A request for the City to exercise a regulatory function;
 - (d) The lodging of an appeal or objection in accordance with a statutory process, standard procedure or policy;
 - (e) A submission relating to the exercise of a regulatory function;
 - (f) A petition; and
 - (g) A complaint concerning Elected Members, Committee Members and Candidates.

Definitions

For the purpose of this policy:

Complaint means: an expression of dissatisfaction with a level of service, repeated lack of promised service or response, or the conduct of any person employed by the City of Bayswater, made to the City of Bayswater.

Feedback means: a compliment, criticism, comment or suggestion where a response is not sought, or not reasonable to expect.

Request means: an enquiry for assistance to action, inspect, remove, replace or repair a City service.

Complainant means: the customer or entity expressing dissatisfaction.

Customer means: residents, ratepayers, businesses and members of the public receiving advice, using a City service or facility; engaging in a business relationship; or any other person or organisation having an interest in the functions or activities of the City of Bayswater.

Employee means: all City employees and volunteers or contractors performing work for the City of Bayswater.

Policy means: this City of Bayswater policy titled 'Complaint Management Policy.'

Policy Statement

1. The City recognises that effective complaint handling is integral to providing excellent customer service. The City values all complaints, and encourages a customer focused, objective and proactive approach to complaints management.
2. The City recognises the right of customers to make complaints and considers complaint handling to be an essential part of serving the community in an accountable, open and transparent manner.
3. The City's Customer Service Charter will guide how the City will acknowledge and respond to complaints.
4. The City is committed to resolving complaints, using a customer-focused approach that encourages conciliation. The City will ensure anyone who is dissatisfied with a City service can easily and simply make a complaint and provide feedback.
5. The collection and reporting of complaint data will guide quality improvement of City services.
6. Complaint handling processes will be highly accessible, culturally appropriate and take into consideration the needs of all within our diverse community. Designated methods, channels and locations to lodge complaints will be highly visible and easily accessible to customers.
7. When possible, the utmost confidentiality and respect for personal privacy will be applied to the management and handling of all complaints.
8. Actions to ensure all employees are aware of the Complaint Management Policy and the relevant internal complaint handling practice and procedures will have a high priority.
9. The City will keep the complainant (and if applicable, the person who is the subject of the complaint) advised of the progress and outcome of their complaint.
10. All complaints will receive a procedurally focused fair hearing. The City will accord all parties to a complaint (complainant and respondent) natural justice.
11. A complainant's conduct may be considered unreasonable if the nature or frequency of the conduct:
 - (a) consumes a disproportionate amount of City resources that results in being detrimental to the needs of other complainants, and/or
 - (b) raises significant health or safety issues for City employees.

12. The City is committed to procedural fairness and will be guided by the Ombudsman of Western Australia, Guidelines on Effective Complaint Handling; and the Investigation of Complaints documents.
13. Complainant's may exercise their right not to make a complaint directly to the City but may elect to engage with an external oversight body such as the Corruption and Crime Commission, Public Sector Commission, Ombudsman Western Australia etc. In these instances, the complainants may still elect to refer the complaint to the City for investigation with an outcome report being provided to the agency. In some cases, the oversight body may conduct their own investigation with, or without, the City's knowledge.

Lodging Complaints

1. Complaints will able to be lodged by telephone, email, in writing, via the City's website, and in person.

Anonymous Complaints

1. The City understands that some customers may wish to remain anonymous. Anonymous complaints will be acted upon; however, they may limit the City's ability to fully investigate the matter and resolve the complaint.
2. When sufficient information is provided to the City, the City will manage the complaint in accordance with the City's Complaint Management Policy and Complaint Handling Management Practice and associated procedure. As a complaint is anonymous, the City will be unable to provide feedback on decisions made or action taken.

Confidentiality

1. The City will protect complainant confidentiality by:
 - (a) Using a unique identification number for each complaint through City ECM records;
 - (b) Ensuring access to the complaint database is restricted to authorised employees only through the use of restricted access code for complaints;
 - (c) Accepting anonymous complaints;
 - (d) Only disclosing identity or personal details to authorised employees; and
 - (e) De-identifying complainants in complaint reporting.

Unreasonable Complaint Conduct

1. A complainant's conduct may be considered unreasonable if it involves:
 - (a) Unreasonable persistence;
 - (b) Unreasonable demands;
 - (c) Unreasonable lack of cooperation;
 - (d) Unreasonable arguments; or
 - (e) Unreasonable behaviour.
2. In these circumstances, special measures to deal with this conduct may be required. The Ombudsman of Western Australia Managing Unreasonable Complaint Conduct Practice Manual will inform these measures.
3. When a complainant engages in unreasonable conduct, the Chief Executive Officer, or their delegate, will decide how to manage the communication with the complainant. The complainant will be informed of the decision.

Reviews

1. A complainant has a right to request a review of the processes undertaken and the decision made regarding their complaint. This can include a request to investigate the actions involved in the complaint handling process.
2. Where a complainant is dissatisfied with how the City dealt with their complaint, and/or the final determination of the complaint by the City, the complainant may request a secondary review.
3. An investigation of a complaint would occur as per the Ombudsman of Western Australia Investigation of Complaints six-step process chart, and includes compliance with the procedural and evidentiary requirements.

Related Legislation

- *Local Government (Rules of Conduct) Regulations 2007;*
- *Local Government Act 1995;*
- *Freedom of Information Act 1992;*
- *Public Interest Disclosures Act 2003;*
- *Crime, Corruption and Misconduct Act 2003;* and
- *State Records Act 2000.*

Related Documentation

City of Bayswater Customer Service Charter

City of Bayswater Code of Conduct

Councillor Complaint Policy

Ombudsman of Western Australia; Guidelines on Effective Complaint Handling; the Investigation of Complaints; and the Managing Unreasonable Complaint Conduct Practice Manual

Document details

Relevant delegations	Nil.		
Risk evaluation	High		
Strategic link	Provide good customer service: Respond to the needs of our community in a respectful and timely way. Communicate in a clear and transparent way: Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.		
Council adoption	25 July 2023	Resolution	10.5.1.13
Next review due	July 2025		



Complaints Management Policy

Responsible Division	Corporate Services
Responsible Business Unit/s	Communications, Engagement and Customer Relations
Responsible Officer	Manager Communications, Engagement and Customer Relations
Affected Business Unit/s	All
ECM Document Set ID	4549365

Purpose

This policy provides a framework to guide the City of Bayswater in managing complaints from its customers and stakeholders, and is part of its commitment to excellence in customer service. This policy covers complaints relating to the City, including its services, decisions, practices, policies, procedures and employees. The City views the effective management of complaints as an opportunity to continually improve its service delivery.

Objectives

The objectives of the policy are to:

- provide a framework for the management of complaints to ensure they are consistently handled in a prompt, efficient, fair and transparent manner
- ensure the practice of complaint handling at the City is aligned with its corporate values and Customer Service Charter
- ensure the complaint process is accessible, visible and considers the diverse needs of our community
- ensure the City has a clear process in place for dealing with unreasonable complaints to prevent the diversion of a disproportionate amount of City resources
- enable the City to compile and use complaint data to drive business improvement and increase community satisfaction with its service delivery
- reflect best practice as outlined in the Western Australian Ombudsman's Guidelines on Effective Complaint Handling, and
- ensure complaints are managed in accordance with legislative requirements.

Scope

This policy applies to:

- City of Bayswater employees, and
- Contractors, consultants and volunteers engaged by the City or acting on its behalf.

This policy **does not** cover:

- complaints about Elected Members, Committee Members or Candidates. Refer to Code of Conduct Complaints Management Policy.

- complaints made by City employees or about City employees related to suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour. Refer to Code of Conduct – Employee or *Public Interest Disclosure Act 2023* for information on how to report suspected breaches, or
- complaints made in relation to the *Privacy and Responsible Information Sharing Act 2024 (WA)*.

The following **are not** considered a complaint:

- an initial request for service
- a request for documents, information or an explanation of policies or procedures
- a request for the City to exercise a regulatory function
- a submission relating to the exercise of a regulatory function
- the lodgement of an appeal or objection in accordance with a statutory process, standard procedure or policy
- a petition
- feedback gained as part of community consultation, or
- matters currently being dealt with or previously dealt with by a court, tribunal or external complaints agency.

Definitions

For the purpose of this policy:

Complaint means an expression of dissatisfaction made to or about an organisation, related to its products, services, staff or the handling of a complaint, where a response or resolution is explicitly or implicitly expected or legally required.

Feedback means a compliment, comment or suggestion where a response is not sought or not reasonable to expect.

Request for service means the provision of a City service or an action required to address a problem. If the problem is not rectified, it may escalate into a complaint.

Complainant means an individual or entity expressing dissatisfaction.

Unreasonable complaint – the complainant generally believes their complaint is legitimate despite behaving in a manner that exceeds reasonable bounds.

Vexatious complaint – is without real merit or trivial; the complainant's primary objective is to distress, annoy or harass rather than have their complaint addressed. This is considered a type of unreasonable complaint.

Policy Statement

1 Complaint management

The City is committed to providing excellence in customer service. The City strives to be easy to interact with, accessible, and responsive. Complaints are to be handled in line with the City's values of customer, accountability, respect, excellence and safety.

All complaints will be addressed in a fair, objective and unbiased manner. Complaints are to be managed promptly and in line with the timeframes set out in the City's Customer Service Charter. The complainant is to be kept informed of the progress of the complaint and of any delays during the process.

Complaints will be managed consistently and in accordance with legislative requirements and the Western Australian Ombudsman's Guidelines on Effective Complaint Handling.

Under certain circumstances, the CEO may determine that the City will no longer communicate with a complainant regarding a specific complaint or category of complaints.

This decision may be made if:

- the City has previously responded to the complainant about the same issue, or
- the complaint is assessed as vexatious, misconceived, frivolous or lacking substance.

In either case, the CEO must be satisfied that continuing to respond would divert an unreasonable proportion of the local government's resources from its other operations.

2 Complaint resolution

The City aims to resolve complaints on first contact. This requires the staff member managing the complaint to have:

- a clear understanding of the key issues and outcome being sought
- sufficient information and delegation to make a sound decision, and
- the ability to provide a prompt, fair and reasonable response to the complainant.

Initial complaints will be managed by the relevant service area manager.

If a complaint is upheld, the focus should be on providing a remedy such as an apology, change in decision, a change in policies or practices to prevent a reoccurrence or action taken to modify the behaviour of the staff member who the complaint was about, if applicable.

The City may take the following courses of action as part of complaint resolution:

- resolve the complaint by using strategies such as, but not limited to, informal discussion, mediation or negotiation.
- take no further action and give the complainant reason/s.
- discontinue the assessment in circumstances where the matter will be referred to another body or person, advising the complainant accordingly.

3 Request for review

Internal review

Not all complaints can be resolved to the satisfaction of the customer. Complainants have the right to request a review of a decision or outcome unless it relates to an employee disciplinary matter or a matter that is covered under a separate process, policy or legislation.

Where a complainant is dissatisfied with the way a complaint has been handled or the outcome of the complaint, they may request a secondary internal review. The review will be undertaken by the relevant Director. The Director will examine how the decision was reached, taking into account all relevant information and provide the customer with a reviewed outcome.

If the customer is still dissatisfied, they can escalate the matter to the CEO, who will undertake a final internal review and provide the customer with a reviewed outcome.

External review

If the customer is not satisfied with the way the City deals with the complaint, the complainant will be informed of the most appropriate external body the complaint can be referred to, such as the Western Australian Ombudsman or the Local Government Inspector.

4 Unreasonable complaints

A complainant's conduct may be considered unreasonable if it involves:

- unreasonable persistence
- unreasonable demands
- unreasonable lack of cooperation
- unreasonable arguments, or
- unreasonable behaviour.

Fair consideration must be given to all complaints while ensuring the handling of them does not divert a disproportionate amount of City resources.

Under Part 10A of the *Local Government (Administration) Regulations 1996 (WA)*, a CEO can declare a complaint unreasonable if it has been previously responded to or if the complaint is assessed as vexatious, misconceived, frivolous or without substance.

A person can be restricted from communicating with the local government about that matter for a period determined by the CEO.

This process for unreasonable complaints does not prevent a person from exercising other rights or entitlements under the law such as lodging applications, participating in elections or inspecting documents. A person may apply to the Inspector if they wish for the CEO's decision to be reviewed.

Regulation 37A of the Administration Regulations requires the CEO to provide notice to the person making the unreasonable complaint, which includes:

- details of the local government's previous responses regarding the subject matter of the complaint
- the reasons why the CEO is satisfied that the complaint is vexatious, misconceived, frivolous or without substance (where that is the basis)

- the reasons why the CEO is satisfied that responding to the complaint would divert an unreasonable portion of the local government's resources, and
- details of how the complainant can make a general complaint to the Inspector in relation to the CEO's decision.

5 Lodging a complaint

Complaints can be lodged by phone, email, in writing, via the City's website and in person.

Unless a complaint is lodged anonymously, the following minimum information should be provided:

- the name and address of the complainant
- the contact details of the complainant, and
- the nature of the complaint and the date it occurred.

6 Anonymous complaints

The City will investigate and record anonymous complaints where reasonable and sufficient information is provided. As the complaint is anonymous, the City will not provide feedback on decisions made or action taken.

7 Recording complaints

All relevant information in relation to a complaint, including actions, decisions and interactions resulting in its resolution, will be collected and registered within the City's business systems as per the *State Records Act 2000*.

8 Complaints reporting

Complaints and compliments are collated and presented to the City's Executive Leadership Team on a quarterly basis. This allows the City to identify key issues and trends related to compliments and complaints received. This information is used for business improvement purposes.

9 Privacy and confidentiality

All complaints are handled with confidentiality. Identities will only be made known to the relevant parties for the purpose of investigating and resolving the complaint. The complaint will not be available publicly except where required by law.

With respect to complaints about employees, the complainant will not be advised of the outcome unless required by law.

The City is committed to handling complaints confidentially and protecting personal information in accordance with the *Privacy and Responsible Information Sharing Act 2024 (WA)*. Reasonable steps will be taken to protect personal information from misuse, loss, unauthorised access, modification and disclosure.

Personal information collected through the complaints process will only be accessed, used or disclosed by authorised officers for the purpose of receiving, assessing, investigating, resolving and reporting, or where required by law.

10 Freedom of Information

Complaints may be accessed by the public in accordance with the *Freedom of Information Act 1992 (WA)*. The City will only release complaint information in accordance with the process and parameters set out in the legislation.

11 Accessible complaints

The method, channels and locations where complaints can be lodged should be visible and accessible. They must consider the needs of people living with disability and from culturally diverse backgrounds.

Related Legislation

- Local Government Act 1995 (WA)*
- Local Government (Administration) Regulations 1996 (WA)*
- Freedom of Information Act 1992 (WA)*
- State Records Act 2000*
- Privacy and Responsible Information Sharing Act 2024 (WA)*

Related Documentation

- City of Bayswater Customer Service Charter*
- City of Bayswater Code of Conduct – Employees*
- City of Bayswater Complaint Handling Management Practice*
- Ombudsman of Western Australia; Guidelines on Effective Complaint Handling and the Managing Unreasonable Complaint Conduct Practice Manual. 2020*

Document details

Relevant delegations	Nil		
Risk evaluation	Medium		
Strategic link	Council Plan 2025 – 2035 Theme: Leadership and Governance Outcome: Stakeholder Leadership Objective: Provide excellent customer service and ensure the City is easy to do business with.		
Council adoption	25 July 2023	Resolution	10.5.1.13
Next review due			

9.2.3 Policy Review: Sports Turf Maintenance

Responsible Branch:	Project Services
Responsible Directorate:	Infrastructure and Assets
Authority/Discretion:	Executive/Strategic Legislative
Voting Requirement:	Simple Majority Required.
Attachments:	1. Current Policy [9.2.3.1 - 3 pages] 2. Policy with Tracked Changes [9.2.3.2 - 3 pages] 3. Draft Policy [9.2.3.3 - 3 pages]
Refer:	Item: 10.6.1.1 OCM: 22/09/2022
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

CR CALLA LOIACONO DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021, Cr Calla Loiacono declared an impartial interest in this item as she is a member of the Bayswater Morley Districts Cricket Club and a committee member of the Bedford Cricket Club which are mentioned in the report.

Cr Calla Loiacono remained in the Committee Room and voted on this item.

CR CALE BLACK DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021, Cr Cale Black declared an impartial interest in this item as he is a social member of Bayswater Bowls, Bedford Bowls and Bayswater Morley Districts Cricket Club, all of which are mentioned in the report.

Cr Cale Black remained in the Committee Room and voted on this item.

CR ANTHONY PITTAWAY DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021, Cr Anthony Pittaway declared an impartial interest in this item as he is a member of the Bayswater Bowling Club which is mentioned in the report.

Cr Anthony Pittaway remained in the Committee Room and voted on this item.

SUMMARY

For Council to adopt the revised *Sports Turf Maintenance Policy*.

COMMITTEE RECOMMENDATION TO COUNCIL
(OFFICER'S RECOMMENDATION)

That Council adopts the revised *Sports Turf Maintenance Policy* as contained in Attachment 3.

Cr Cale Black Moved, Cr Calla Loiacono Seconded

CARRIED UNANIMOUSLY: 5/0

For: Mayor Filomena Piffaretti, Cr Cale Black, Cr Calla Loiacono, Cr Steven Ostaszewskyj and Cr Anthony Pittaway.

Against: Nil.

BACKGROUND

The Policy provides Council's position on consistent and equitable ways of providing specialist turf surfaces and more appropriately apportioning the cost of turf maintenance.

The Policy was first adopted by Council at its meeting held on 27 June 2017 and was subsequently reviewed and adopted by Council at its Ordinary Meeting on 22 September 2022.

The Policy is now due for review. It has been revised and is presented here for Council consideration.

EXTERNAL CONSULTATION

All nine participating clubs have been advised of the policy review and have provided relevant updated information for the 2026/27 financial year such as number of facilities maintained, player numbers and financial audits.

Section 6 of the Policy relating to club reviews, growth and capacity are monitored with clubs annually.

OFFICER'S COMMENTS

The *Sports Turf Maintenance Policy* provides equitable support to clubs maintaining specialist sports turf such as bowling green, tennis courts, croquet courts and cricket wickets.

The Policy therefore impacts the following clubs:

- Maylands Sport and Recreation Club
- Morley Bowling Club
- Bayswater Bowling Club
- Bedford Bowling Club
- Maylands Tennis Club
- Bayswater Tennis Club
- Bayswater Croquet Club
- Bayswater Morley District Cricket Club
- Bedford Morley Cricket Club

A prescribed maximum amount of funding contribution from the City to each club was set in 2017 per court, green or wicket. Perth CPI has been applied annually. Irrespective of the number of courts, greens or wickets, the City's contribution does not exceed 50% of the total annual turf maintenance cost to the club, with the exception of the Bayswater Morley District Cricket Club, who receive up to 80% due to them competing in the highest State league for turf cricket.

The per playing area \$ amount has been adjusted with Perth CPI as follows for year 7 – 10 of the policy:

	Bowling per turf green	Tennis per court	Croquet per court	Cricket (WACA) per wicket	Cricket (Suburban) per wicket
Year 7 + 6.8% CPI 2023/24	\$12,343	\$3,085	\$3,085	\$4,936	\$2,469
Year 8 + 4% CPI 2024/25	\$12,837	\$3,208	\$3,208	\$5,133	\$2,568
Year 9 + 2.1% CPI 2025/26	\$13,107	\$3,276	\$3,276	\$5,241	\$2,622

Year 10 + 4% CPI 2026/27	\$13,631	\$3,407	\$3,407	\$5,451	\$2,727
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City officers will investigate the option of incorporating the *Sports Turf Maintenance Policy* contribution amounts into the City's Fees and Charges or other publication, which is updated annually as part of the annual budget process. This will provide greater transparency for the management and delivery of this program.

The following revisions are proposed to the *Sports Turf Maintenance Policy*:

Revision	Rationale
Updated figures with CPI applied to the current year ten of operation (2026-27) with CPI applied annually.	An annual CPI change is more reflective of the economic environment, as previous year of the policy. These figures will be the base figure that CPI will be applied to for future increases.

A copy of the current policy is contained in **Attachment 1**.

A copy of the revised policy, with amendments shown in tracked changes is provided in **Attachment 2**.

A copy of the revised policy, with amendments included, is provided in **Attachment 3**.

LEGISLATIVE COMPLIANCE

Nil.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Medium
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR01 - Inability to plan, provide and support socially connected, healthy and safe neighbourhoods. SR02 – Failure to strategically plan, deliver and maintain infrastructure and assets.	

FINANCIAL IMPLICATIONS

All clubs are responsible for the procurement and service delivery of sports turf maintenance within their facilities.

The City contribution toward the cost of maintenance as prescribed within the Policy is provided with the ground maintenance budget applicable to each sporting reserve location.

A definitive cost of service cannot be determined at this stage as the Policy is based on a rebate to be finalised at the end of the maintenance season. Based on the known number of greens, rinks and wickets to be maintained at each site, the maximum claimable amount for 2026/27 is \$424,548.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025 – 2035, the following applies:

Key Result Area:	Leadership and Governance
Outcome 5.3	Optimised Performance
Objective 5.3.1	Focus on operational efficiency, effective delivery and innovation to ensure our services are fit for purpose, contemporary and secure.

CONCLUSION

The *Sports Turf Maintenance Policy* provides equity in service provision by providing a prescribed rebate back to clubs to offset their turf maintenance expenditure. The Policy has been amended to reflect the updated figures with CPI applied to the current year ten of operation (2026/27) with a note that CPI is applied annually.



Sports Turf Maintenance Policy

Responsible Division	Major Projects and Commercial Activities
Responsible Business Unit	Project Services
Responsible Officer	Manager Project Services
Affected Business Units	Parks and Gardens
ECM Document Set ID	4323591

Purpose

This policy states the Council's position on consistent and equitable ways of providing specialist turf surfaces and more appropriately apportioning the costs of this to the recipient clubs.

Policy Statement

In order to assist in the delivery of specialist turf surfaces to eligible clubs, the City of Bayswater adopts the following policy:

Capital Costs of Installing Specialist Turf Surfaces

1. The City will assist Clubs to identify sustainable specialist turf surfaces for use within their sport and club environment where the following conditions are met:
 - a. The Club contributes to the capital cost of installation;
 - b. The Club contributes to the ongoing maintenance costs;
 - c. The Club establishes a reserve account/sinking fund for the replacement of the turf at the end of its useful life;
 - d. The Club can demonstrate that it has the management capability and membership base to support the ongoing financial responsibilities associated with specialist turf surfaces over the life of the asset;
2. The City will assist Clubs with identifying suitable grant funding opportunities and sponsorship arrangements.
3. The City's contribution towards capital works for specialist turf surfaces will not exceed 50% of the total project cost or \$50,000, whichever is the lesser.

Maintenance of Specialist Turf Surfaces

4. The City, in collaboration with Clubs, will develop a detailed specification for the maintenance of each turf area including weekly, monthly and seasonal work.
5. Independent contractors will be appointed by Clubs to conduct maintenance of turf where they do not have the capacity to undertake work themselves based on the specification developed.

6. The City's contribution towards maintenance for specialist turf surfaces will not exceed 50% of the annual cost, except in the case of the WACA cricket club which will not exceed 80% of the annual cost, and will be determined by the following principles:
 - a. Development of a Strategic Plan and a sinking fund which includes provision for replacement of assets;
 - b. Growth/stability of membership, including junior development programs;
 - c. Fundraising capacity of the Club, including a bar, lettable spaces and ability to hire courts/greens to other users;
 - d. Community involvement in the Club, including access by others to the premises, contribution to local events and activities;
 - e. Provision of annual reports to the City within 6 weeks of the Club's AGM
7. The maximum funding any single club may receive from Council in any year (as of 2022/23) for maintenance of specialist turf surfaces is
 - a. Bowling Clubs \$11,557 per useable green
(not fallow or used for another purpose)
 - b. Tennis Clubs \$2,889 per court
 - c. Cricket Clubs (WACA) \$4,622 per block
 - d. Cricket Clubs (Suburban) \$2,312 per block
 - e. Croquet Clubs \$2,889 per court
8. The Club's performance in managing the specialist turf surface will be considered at the time of entering into lease, funding or other formal agreements.
9. These costs will be indexed every year by CPI (Perth).

Definitions

- Specialist turf surfaces - Provided as a specifically manicured area for the precise play required for turf sports such as bowling, tennis, cricket and croquet. May include artificial turf, grass courts, turf greens and pitches
- Clubs - all clubs that use specialist turf surfaces, whether under lease arrangements or regular hire arrangements.
- City - the City of Bayswater organisation.
- Council - the eleven councillors elected to make decisions on behalf of the residents of the City within the requirements of the Local Government Act (WA) 1995.
- Subsidy - the contribution made by the City of Bayswater to Clubs affected by the policy to reduce the maintenance cost of specialist sports turf.

Related Legislation

Nil.

Related Documentation

Implementation Schedule

Relevant Delegations	Nil.	
Risk Evaluation	Low	
Council Adoption	Date	17 May 2017
Reviewed / Modified	Date	20 September 2022
Reviewed / Modified	Date	
Reviewed / Modified	Date	



Sports Turf Maintenance Policy

Responsible Division	<u>Infrastructure and Assets</u> ~~Major Projects and Commercial Activities~~
Responsible Business Unit	<u>Infrastructure</u> Projects <u>Services</u>
Responsible Officer	Manager <u>Recreation</u> Projects ~~Services~~
Affected Business Units	Parks and Gardens
ECM Document Set ID	4323591

Purpose

This policy states the Council's position on consistent and equitable ways of providing specialist turf surfaces and more appropriately apportioning the costs of this to the recipient clubs.

Scope

This policy applies to specialist sports turf surfaces, including grass tennis courts, cricket wickets, and bowling and croquet greens, which require a higher level of maintenance and specialist management than general sports playing fields. It does not apply to sports fields such as football, soccer or rugby ovals, which are maintained under the City's standard parks and sportsground maintenance programs.

Definitions

- Specialist turf surfaces - Provided as a specifically manicured area for the precise play required for turf sports such as bowling, tennis, cricket and croquet. May include artificial turf, grass courts, turf greens and pitches
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 - c. The Club establishes a reserve account/sinking fund for the replacement of the turf at the end of its useful life;
 - d. The Club can demonstrate that it has the management capability and membership base to support the ongoing financial responsibilities associated with specialist turf surfaces over the life of the asset;
2. The City will assist Clubs with identifying suitable grant funding opportunities and sponsorship arrangements.
 3. The City's contribution towards capital works for specialist turf surfaces will not exceed 50% of the total project cost or \$50,000, whichever is the lesser.

Maintenance of Specialist Turf Surfaces

4. The City, in collaboration with Clubs, will develop a detailed specification for the maintenance of each turf area including weekly, monthly and seasonal work.
5. Independent contractors will be appointed by Clubs to conduct maintenance of turf where they do not have the capacity to undertake work themselves based on the specification developed.
6. The City's contribution towards maintenance for specialist turf surfaces will not exceed 50% of the annual cost, except in the case of the WACA cricket club which will not exceed 80% of the annual cost, and will be determined by the following principles:
 - a. Development of a Strategic Plan and a sinking fund which includes provision for replacement of assets;
 - b. Growth/stability of membership, including junior development programs;
 - c. Fundraising capacity of the Club, including a bar, lettable spaces and ability to hire courts/greens to other users;
 - d. Community involvement in the Club, including access by others to the premises, contribution to local events and activities;
 - e. Provision of annual reports to the City within 6 weeks of the Club's AGM
7. The maximum funding any single club may receive from Council in any year (as of 2026/27) for maintenance of specialist turf surfaces is
 - a. Bowling Clubs \$13,631,441 per useable green (not fallow or used for another purpose)
 - b. Tennis Clubs \$3,407,289 per court
 - c. Cricket Clubs (WACA) \$5,451,622 per block
 - d. Cricket Clubs (Suburban) \$2,727,312 per block
 - e. Croquet Clubs \$3,407,289 per court
8. The Club's performance in managing the specialist turf surface will be considered at the time of entering into lease, funding or other formal agreements.
9. These costs will be indexed every year by CPI (Perth).

Definitions

- ~~Specialist turf surfaces – Provided as a specifically manicured area for the precise play required for turf sports such as bowling, tennis, cricket and croquet. May include artificial turf, grass courts, turf greens and pitches~~
- ~~Clubs – all clubs that use specialist turf surfaces, whether under lease arrangements or regular hire arrangements.~~
- ~~City – the City of Bayswater organisation.~~
- ~~Council – the eleven councillors elected to make decisions on behalf of the residents of the City within the requirements of the Local Government Act (WA) 1995.~~
- ~~Subsidy – the contribution made by the City of Bayswater to Clubs affected by the policy to reduce the maintenance cost of specialist sports turf.~~

Related Legislation

Nil.

Related Documentation

Implementation Schedule

Relevant Delegations	Nil.	
Risk Evaluation	Low	
Council Adoption	Date	17 May 2017
Reviewed / Modified	Date	20 September 2022
Reviewed / Modified	Date	<u>7 September 2026</u>
Reviewed / Modified	Date	



Sports Turf Maintenance Policy

Responsible Division	Infrastructure and Assets
Responsible Business Unit	Infrastructure Projects
Responsible Officer	Manager Recreation Projects
Affected Business Units	Parks and Gardens
ECM Document Set ID	4323591

Purpose

This policy states the Council's position on consistent and equitable ways of providing specialist turf surfaces and more appropriately apportioning the costs of this to the recipient clubs.

Scope

This policy applies to specialist sports turf surfaces, including grass tennis courts, cricket wickets, and bowling and croquet greens, which require a higher level of maintenance and specialist management than general sports playing fields. It does not apply to sports fields such as football, soccer or rugby ovals, which are maintained under the City's standard parks and sportsground maintenance programs.

Definitions

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- Subsidy - the contribution made by the City of Bayswater to Clubs affected by the policy to reduce the maintenance cost of specialist sports turf.

Policy Statement

In order to assist in the delivery of specialist turf surfaces to eligible clubs, the City of Bayswater adopts the following policy:

Capital Costs of Installing Specialist Turf Surfaces

1. The City will assist Clubs to identify sustainable specialist turf surfaces for use within their sport and club environment where the following conditions are met:

- a. The Club contributes to the capital cost of installation;
 - b. The Club contributes to the ongoing maintenance costs;
 - c. The Club establishes a reserve account/sinking fund for the replacement of the turf at the end of its useful life;
 - d. The Club can demonstrate that it has the management capability and membership base to support the ongoing financial responsibilities associated with specialist turf surfaces over the life of the asset;
2. The City will assist Clubs with identifying suitable grant funding opportunities and sponsorship arrangements.
 3. The City's contribution towards capital works for specialist turf surfaces will not exceed 50% of the total project cost or \$50,000, whichever is the lesser.

Maintenance of Specialist Turf Surfaces

4. The City, in collaboration with Clubs, will develop a detailed specification for the maintenance of each turf area including weekly, monthly and seasonal work.
5. Independent contractors will be appointed by Clubs to conduct maintenance of turf where they do not have the capacity to undertake work themselves based on the specification developed.
6. The City's contribution towards maintenance for specialist turf surfaces will not exceed 50% of the annual cost, except in the case of the WACA cricket club which will not exceed 80% of the annual cost, and will be determined by the following principles:
 - a. Development of a Strategic Plan and a sinking fund which includes provision for replacement of assets;
 - b. Growth/stability of membership, including junior development programs;
 - c. Fundraising capacity of the Club, including a bar, lettable spaces and ability to hire courts/greens to other users;
 - d. Community involvement in the Club, including access by others to the premises, contribution to local events and activities;
 - e. Provision of annual reports to the City within 6 weeks of the Club's AGM
7. The maximum funding any single club may receive from Council in any year (as of 2026/27) for maintenance of specialist turf surfaces is

a. Bowling Clubs	\$13,631 per useable green (not fallow or used for another purpose)
b. Tennis Clubs	\$3,407 per court
c. Cricket Clubs (WACA)	\$5,451 per block
d. Cricket Clubs (Suburban)	\$2,727 per block
e. Croquet Clubs	\$3,407 per court
8. The Club's performance in managing the specialist turf surface will be considered at the time of

entering into lease, funding or other formal agreements.

9. These costs will be indexed every year by CPI (Perth).

Related Legislation

Nil

Related Documentation

Implementation Schedule

Document details

Relevant delegations	Nil.		
Risk evaluation	Low		
Strategic link	5.3 Optimised Performance		
Council adoption	17 May 2017	Resolution	9.1.7
Next review due	September 2030		
Reviewed/modified	20 September 2022	Resolution	10.6.1.2
	7 September 2026		[item no.]
Revision details	[description]		

9.2.4 Policy Review: Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy

Responsible Branch:	Governance and Strategy
Responsible Directorate:	Office of the CEO
Authority/Discretion:	Legislative
Voting Requirement:	Simple Majority Required.
Attachments:	1. Current Policy [9.2.4.1 - 2 pages] 2. Draft Policy [9.2.4.2 - 2 pages]
Refer:	Item: 13.5 OCM: 22.05.2018 Item: 10.5.1.18 OCM 25 July 2023
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

The report is presented to Council to seek adoption of the revised *Employee Attendance at Conferences, Seminars and Training Policy* (Policy). The review has been undertaken in accordance with the Council's adopted Policy Review Schedule and proposes updates to the existing *Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy* to improve clarity, transparency and accountability regarding employee attendance at approved activities where the City funds air travel and/or accommodation.

The revised Policy extends its application to all employees and establishes requirements for the reporting and publication of employee attendance at approved activities involving City-funded air travel and/or accommodation. The Policy also supports transparency and accountability through publication of an Employee Attendance at Approved Activities Register on the City's website.

COMMITTEE RECOMMENDATION TO COUNCIL **(OFFICER'S RECOMMENDATION)**

That Council adopts the revised *Employee Attendance at Conferences, Seminars and Training Policy* as contained in Attachment 2 and notes that the name of the revised policy has been changed from *Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy* as part of this review.

Cr Cale Black Moved, Cr Calla Loiacono Seconded

CARRIED UNANIMOUSLY BY EXCEPTION (EN BLOC): 5/0

For: Mayor Filomena Piffaretti, Cr Cale Black, Cr Calla Loiacono, Cr Steven Ostaszewskyj and Cr Anthony Pittaway.

Against: Nil.

BACKGROUND

This Policy was initially developed following a request from the Policy Review and Development Committee to establish a staff policy equivalent to the *Elected Members Conference, Seminars Attendance and Authorised Travel Policy*. The Policy was first adopted by Council at its Ordinary Council Meeting in May 2018 and was intended to provide transparency regarding employee attendance at conferences, seminars and training funded by the City.

This Policy established public reporting requirements for attendance by senior executive staff and managers at conferences, seminars and training, together with certain City-funded travel activities.

The Policy was last reviewed on 25 July 2023 and is now due for review in accordance with Council's adopted Policy Review Schedule for 2026.

EXTERNAL CONSULTATION

N/A

OFFICER'S COMMENTS

The current policy was adopted in 2018 and reviewed in 2023. The Policy was developed to provide transparency regarding attendance by senior executive staff and managers at conferences, seminars and training funded by the City. The policy also established reporting requirements for local conferences and training, together with certain City-funded travel activities.

As part of the 2026 review, City officers reviewed whether the policy remained fit for purpose and appropriately reflected the public interest associated with employee attendance at approved activities involving City-funded travel and accommodation expenditure.

The review identified an opportunity to refine the Policy and focus reporting requirements on attendance at approved activities involving City-funded air travel and/or accommodation. The revised Policy establishes clearer requirements regarding attendance, reporting and publication of relevant travel and accommodation expenditure, and extends its application to all employees.

As part of the review of the Policy, the associated reporting register was also reviewed. While there is no legislative requirement for local governments to maintain or publish such a register. The review identified merit in continuing to publicly report significant employee travel expenditure to support transparency and accountability in the use of public funds.

Publicly available local government information was also reviewed as part of the policy review. This identified examples of employee travel reporting that focus on travel involving material expenditure, including airfares and accommodation costs. This informed consideration of the City's ongoing reporting requirements.

The review also identified an opportunity to refine the current reporting requirements. Under the current Policy, senior executive staff and managers are required to report local conferences and training together with certain travel activities where there is a cost to the City. Under the revised Policy, reporting applies only where an employee undertakes City-funded air travel and/or stays in City-funded accommodation to attend an approved activity.

As a result, routine local conferences, seminars, workshops and training activities undertaken will generally no longer be included in the public register unless they involve City-funded air travel and/or accommodation. This approach better aligns the reporting requirements with the purpose of the revised Policy and with the level of expenditure and public interest associated with employee attendance at approved activities involving funded travel and accommodation.

The following revisions are proposed to the *Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy*:

Revision	Change from current policy and rationale
Policy name changed to <i>Employee Attendance at Conferences, Seminars and Training Approved Activities Policy</i>	Current policy: <i>Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy</i>. Revised policy: <i>Employee Attendance at Conferences, Seminars and Training Policy</i>. The new title reflects the extension of the Policy to all employees and its focus on attendance at approved activities involving City-funded air travel and/or accommodation.

Revision	Change from current policy and rationale
Purpose substantially revised	Current policy: Supported staff attendance at conferences, seminars and training to assist employees in fulfilling their roles, developing their skills or benefiting the district community. Revised policy: Establishes requirements for reporting and publishing employee attendance at approved activities where the City funds air travel and/or accommodation. The emphasis has therefore shifted from supporting attendance and professional development to transparency and accountability for relevant travel and accommodation expenditure.
Scope changed from activities involving any City cost to activities involving funded air travel and accommodation	Current policy: Applied to conferences, seminars, training courses, professional development, industry forums, workshops, presentations, awards and business functions wherever there was a cost to the City. Revised policy: Applies where an employee undertakes City-funded air travel and/or stays in City-funded accommodation to attend an approved activity.
Routine local activities removed from the reporting scope unless they meet the new travel test	Current policy: Senior Executive Staff and Managers were required to disclose attendance at local conferences and training where there was a cost to the City. Revised policy: Reporting is linked to City-funded air travel and/or accommodation. Routine local conferences, seminars, training and similar activities that do not involve that travel and/or accommodation are therefore outside the new reporting requirement.
Policy application extended to all employees	Current policy: The reporting provisions applied separately to Senior Executive Staff and Managers. Revised policy: The Policy applies to all City employees who undertake City-funded air travel, and/or stay in City-funded accommodation to attend an approved activity. This removes the previous employee-level distinction and applies a consistent requirement to all staff who fall within the new scope.
Employee names removed from the public register and replaced with position titles	Current policy: The public register identified employees by name. Revised policy: The public register identifies the employee's position title rather than the employee's name.

A copy of the current policy is contained in **Attachment 1**.

A copy of the revised policy, with amendments included, is provided in **Attachment 2**.

LEGISLATIVE COMPLIANCE

Nil.

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Low
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR07 - Unethical or inadequate governance and/or decision-making.	

FINANCIAL IMPLICATIONS

Nil.

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025 – 2035, the following applies:

Key Result Area:	Leadership and Governance
Outcome 5.1	Good Governance
Objective 5.1.1	Provide ethical and accountable governance.
Outcome 5.3	Optimised Performance
Objective 5.3.2	Maintain a valued, safe and skilled workforce.

CONCLUSION

It is recommended that Council adopts the revised *Employee Attendance at Conferences, Seminars and Training Policy* as contained in **Attachment 2** and notes that the name of the revised Policy has been changed from the *Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy* as part of this review.

The revised Policy supports transparent and accountable governance by establishing clearer requirements for reporting and publishing employee attendance at approved activities involving City-funded air travel and/or accommodation. It also ensures the Policy remains current and aligned with the City's strategic objectives.



Senior and Executive Staff Attendance at Conferences, Seminars and Training Policy

Responsible Division	Office of the Chief Executive Officer
Responsible Business Unit	Governance and OPD
Responsible Officer	Chief Executive Officer
Affected Business Units	All business units
ECM Document Set ID	4513820

Purpose

Council supports the attendance of City of Bayswater (the City) staff at conferences, seminars and training to assist them in fulfilling their role and further developing their skill set or where attendance will benefit the Bayswater district community.

Scope

Events covered by this policy include: conferences, seminars, training courses, professional development, industry forums, workshops, presentations, awards, business breakfasts/luncheons/dinners - where there is a cost to the City.

Policy Statement

Attendance should be undertaken in a transparent manner and in line with budget allocations.

The City will fund attendance by executive officers at interstate conferences. The City will not fund attendance at overseas conferences, other than New Zealand.

Senior Executive Staff must report, where there is a cost to the City, any intrastate or national travel or travel to New Zealand, and disclose attendance at conferences and training which take place locally. The report must include the name and position title and be published monthly.

Managers must report, where there is a cost to the City, any intrastate or national travel or travel to New Zealand, and disclose attendance at conferences and training which take place locally. The report will be by position title only and is to be published monthly.

Related Legislation

Nil.

Related Documentation

Nil.

Document details

Relevant delegations	FM-D04 – Authority to incur expenses and apply money from the Municipal Fund Account		
Risk evaluation	Moderate		
Strategic link	Theme:	Leadership and Governance	
	Goal L4:	Communicate in a clear and transparent way. Provide the community with useful information about Council's policies, services and events and advise the community of engagement outcomes.	
Council adoption	22 May 2018	Resolution	13.5
Reviewed/modified	25 July 2023	Resolution	10.5.1.18
Next review due	July 2026		



Employee Attendance at Conferences, Seminars and Training Policy

Responsible Division	Office of the Chief Executive Officer
Responsible Business Unit	Governance and Strategy
Responsible Officer	Manager Governance and Strategy
Affected Business Units	All business units
ECM Document Set ID	4513820

Purpose

The purpose of this policy is to establish requirements for the reporting and publication of employee attendance at approved activities where the City funds either air travel or accommodation. The policy supports transparency and accountability by ensuring relevant expenses associated with those activities are reported to the community.

Scope

This policy applies to all City of Bayswater employees undertaking City-funded air travel or staying in City-funded accommodation to attend an approved activity, including conferences, seminars, training, award ceremonies and other authorised activities.

Definitions

For the purpose of this policy -

Approved activity means a conference, seminar, training course, award ceremony or other activity authorised by the City in accordance with the Financial Authorisations Management Practice.

City-funded means expenses paid directly by the City or reimbursed to an employee.

Normally accepted living costs means reasonable expenses necessarily incurred while travelling for an approved activity.

Policy Statement

1. Attendance at approved activities must be undertaken transparently, appropriately authorised and managed within approved budget allocations.
2. The City may fund employee air travel and/or accommodation for approved activities within Australia or New Zealand.
3. Requests for the City to fund employee air travel and/or accommodation expenses for activities in countries other than Australia or New Zealand must be the subject of an officer's report considered and approved by the Council.
4. An employee staying in City-funded accommodation to attend an approved activity may be reimbursed for reasonable living costs necessarily incurred while travelling, subject to applicable financial authorisations and City procedures. Eligible costs include meals and refreshments for the employee that are not covered by the registration costs.

5. Employees will not be reimbursed for meals or refreshments for any other person unless the expense is approved in advance in accordance with the City's Financial Authorisations Management Practice.
6. Expenses will be reimbursed from the time an employee leaves home to attend an approved activity until the employee returns home.
7. Should an employee extend a visit by leaving prior to the time necessary to arrive for the approved activity or return after the time at which the employee could have returned following the activity, reimbursements will be paid:
 - a) for the days of the approved activity only; and
 - b) for reasonable transport costs between the airport and the accommodation used for the approved activity.
8. Employees attending an approved activity involving City-funded air travel and/or accommodation must report that attendance and the associated City-funded air travel and/or accommodation expenses.
9. The City will publish the Employee Attendance at Conferences, Seminars and Training Register monthly on the City's website. The register will identify employees by position title only.

Related Legislation

Nil.

Related Documentation

Financial Authorisations Management Practice

Document details

Relevant delegations	Nil.		
Risk evaluation	Moderate		
Strategic link	5.1.1 Provide ethical and accountable governance. 5.3.2 Maintain a valued, safe and skilled workforce.		
Council adoption	22 May 2018	Resolution	13.5
Reviewed/modified	25 July 2023	Resolution	10.5.1.18
Reviewed/modified	22 September 2026	Resolution	TBC
Next review due	September 2029		

9.3 Local Planning Policies

9.3.1 New Local Planning Policy: Residential Development

Responsible Branch:	Community Planning
Responsible Directorate:	Community Services
Authority/Discretion:	Legislative
Voting Requirement:	Simple Majority Required.
Attachments:	1. Draft Residential Development Policy - advertised [9.3.1.1 - 6 pages] 2. Draft Residential Development Policy - track changes [9.3.1.2 - 6 pages] 3. Draft Residential Development Policy - final [9.3.1.3 - 5 pages] 4. Summary of the proposed R Code amendments [9.3.1.4 - 8 pages] 5. Summary of Submissions [9.3.1.5 - 3 pages]
Refer:	OCM 23.06.2026 item 10.5.1.3.5
Officer Declaration:	<i>The officers involved in drafting and reviewing this report do not have any interests to disclose in the item.</i>

RYAN HALL, DIRECTOR COMMUNITY SERVICES DECLARED AN IMPARTIAL INTEREST

In accordance with regulation 22 of the Local Government (Model Code of Conduct) Regulations 2021, Ryan Hall declared an impartial interest in this item as he is a member of the Western Australian Planning Commission.

Ryan Hall remained in the Committee Room while the Committee members considered and voted on the item.

This item does not contain any information that is considered confidential in accordance with Section 5.23 of the Local Government Act 1995.

SUMMARY

The Draft Residential Development Local Planning Policy provides a more efficient and contemporary approach to the assessment of residential development by simplifying, modifying or removing selected provisions. The draft policy expands development approval exemptions and creates clearer pathways for residents seeking to develop, improve or invest in their properties.

The draft local planning policy enables planning resources to be directed towards more complex applications where assessment adds the greatest value, while maintaining appropriate safeguards through the continued requirement for building permits and compliance with relevant construction, safety and legislative standards. Collectively, these measures support a more efficient, responsive and contemporary planning system that facilitates strongly needed housing in the City.

Overall, the policy supports a more efficient, responsive and contemporary planning framework that facilitates housing delivery, reduces approvals delays and provides simpler development pathways for property owners across the City. It also aligns with broader State Government planning reform initiatives aimed at simplifying the planning system and increasing housing supply.

Council consideration is sought on the outcomes of community and stakeholder engagement and final adoption of the draft amended *Residential Development Local Planning Policy*.

Attachment 1 contains the advertised version of the *Residential Development Local Planning Policy*.

Attachment 2 contains the advertised local planning policy with tracked changes.

Attachment 3 contains the amended draft *Residential Development Local Planning Policy*.

Attachment 4 contains a summary table of policy provisions which amend the R-Codes.

Attachment 5 contains a summary of submissions received during community consultation.

COMMITTEE RECOMMENDATION TO COUNCIL **(OFFICER'S RECOMMENDATION)**

That Council:

1. **Notes the outcomes of community engagement as discussed in the report.**
2. **Adopts the draft amended *Residential Development Local Planning Policy* as contained in Attachment 3.**

Cr Steven Ostaszewskyj Moved, Cr Anthony Pittaway Seconded

CARRIED UNANIMOUSLY: 5/0

For: Mayor Filomena Piffaretti, Cr Cale Black, Cr Calla Loiacono, Cr Steven Ostaszewskyj and Cr Anthony Pittaway.

Against: Nil.

BACKGROUND

The City is carrying out a holistic review of the local planning framework. This includes completing out-of-cycle reviews and preparing new local planning policies to streamline the City's policy framework and support the implementation of draft *Local Planning Scheme No. 25*. As part of this review a series of improvements to the operation of the R-Codes have been identified which will simplify the residential development process across most residential land in the City.

Council at its Ordinary Meeting held on 23 June 2026 adopted the draft *Residential Development Local Planning Policy* for public advertising (see Attachment 1).

EXTERNAL CONSULTATION

A copy of the draft LPP was advertised for community consultation, for a period of 22 days from Thursday, 16 July 2026 to Friday, 7 August 2026 by way of:

- Notification in the Perth Now newspaper on Thursday 16 July 2026;
- Information being placed on the City's engagement website, Engage Bayswater;
- Public Notice on the City's website; and
- Hard copies of the draft LPP being made available for inspection at the City of Bayswater Civic Centre and libraries.

As the draft LPP is applicable to all residential development in the City, the consultation was open to all residents.

During the consultation period, 10 submissions were received, all in support of the new LPP. The comments received are addressed in the Officer Comments below. A summary of submissions is included in Attachment 5.

As part of the LPP external consultation process, the City engaged with officers at the Department of Planning, Lands and Heritage (DPLH). This consultation was necessary as aspects of the advertised LPP contain provisions that require approval from the Western Australian Planning Commission (WAPC). Officer-level feedback received from the DPLH has been provided with

reference to the State Government's current review of the R-Codes and has informed the policy amendments discussed in the Officer Comments section below.

OFFICER'S COMMENTS

Submissions

All submissions received were in support of the draft LPP. A small number of submissions commented on matters beyond the scope of the draft LPP or on provisions that are already addressed through other statutory mechanisms. Some submissions also raised concerns regarding specific policy provisions. These matters have been reviewed and, where relevant, considered in the assessment of the draft policy. In particular, provisions relating to matters more appropriately address through other regulatory frameworks, or which add unnecessary complexity to the policy implementation, are recommended to be removed from the draft as discussed below.

Department of Planning, Lands and Heritage Feedback

In June 2025, the State Government announced that a major review of the R-Codes would be undertaken, acknowledging that over time, the R-Codes have become increasingly layered and difficult to navigate, adding complexity to residential development and inefficiency in implementation. In July 2026, the Minister for Planning announced that the proposed changes arising from the review are expected to be released for public consultation in late 2026. Subject to consultation, endorsement and approval processes, any amendments are anticipated to become operational from mid to late 2027.

The DPLH, in their feedback, have advised that local planning policies which amend the deemed-to-comply requirements of the R-Codes should be responding to the specific and demonstrated need related to the built form and development context of a particular locality. The DPLH acknowledged that the objectives of the *Residential Development Local Planning Policy* are broadly aligned with the intent of the R-Codes review, however recommended that the City advocated for these changes through engagement with the R-Codes review project.

In light of the above advice and the imminent release of the amended R-Codes for consultation, provisions which require WAPC approval are recommended to be removed from the draft local planning policy to ensure timely implementation.

Recommended Policy Amendments

The intent of the draft LPP is to simplify the implementation of the R-Codes by clarifying, amending or replacing deemed-to-comply requirements which are commonly varied by developers and commonly supported by the City. Once adopted, the LPP will operate by replacing the corresponding provisions of the R-Codes. The draft LPP complements the recently adopted *Development Approval Exemptions Local Planning Policy* by functionally increasing the scope of that LPP where it relates to residential development, as well as existing exemptions in the *Planning and Development (Local Planning Schemes) Regulations 2015* (e.g. single and grouped dwellings which meet the deemed-to-comply requirements of the R-Codes).

As part of the major review of the R-Code Council can expect to see further revisions of this LPP in the future. Given the scale and complexity of the R-Code review and the fact that proposed reforms are yet to be finalised and implemented, additional amendments to this LPP may be required to ensure it remains aligned with the evolving State planning framework and any further changes to R-Codes.

Attachment 4 provides a summary of the proposed R-Code amendments in the draft *Residential Development Local Planning Policy*.

The following advertised policy provisions are proposed to be removed from the draft LPP, as they require WAPC approval:

R-Code Clause	Intent of advertised LPP provision
5.1.3 Lot boundary setback C3.1(i) and (ii)	Simplified calculation of lot boundary setback requirements by aligning Part B provisions with existing Part C provisions. Allowed the posts of carports, patios, verandahs, etc. To be built up to the lot boundary, subject to conditions.
5.3.1 Outdoor living area C1.1 (i) - (v)	Increases the amount of compliant outdoor living area that may be covered.
5.3.2 Landscaping C2.1 (i)-(iii)	Simplified landscaping requirements by aligning Part B provisions with existing Part C provisions and removing non-development requirements.
5.3.5 Vehicle access C5.4	Aligned battle-axe driveway length requirements with existing Part C provisions.

Should Council resolve to adopt the amended draft LPP, it will not require WAPC approval and will provide the City an immediate opportunity to improve customer experience and development outcomes, ahead of planned future R-Code amendments. In order to implement immediate reform within the City it is therefore recommended that the provisions requiring WAPC approval are deleted from the draft LPP as detailed in **Attachment 2**.

The provisions outlined above can still be supported through the development application process, by the City exercising its discretion in undertaking a design principles assessment and issuing Development Approval.

LEGISLATIVE COMPLIANCE

Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* sets out the procedure for creating a LPP. Clause 4 of Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* requires the local government publish notice of the LPP in accordance with Clause 87.

Clause 3.0 of the *Residential Design Codes Volume 1* provides that "local planning frameworks may amend, replace and/or augment the deemed-to-comply provisions of the R-Codes", and sets out which deemed-to-comply provisions may be modified by the local government without the consent of the Western Australian Planning Commission (WAPC).

RISK MANAGEMENT CONSIDERATION

The table below shows the level of risk for each impact category, if the officer's recommendation is not adopted by the Council.

Impact Category	Appetite	Risk Rating
Workplace, Health and Safety	Low	Low
Financial	Medium	Low
Reputation and Stakeholders	Medium	Low
Service Delivery	Medium	Medium
Environment	Low	Low
Governance and Compliance	Low	Low
Strategic Risk	SR04 - Inability to work collaboratively to engage and partner with the stakeholders to promote and advocate opportunities to live and invest.	

	SR05 - Inability to manage stakeholder expectation through early and ongoing engagement.
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FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

In accordance with the City of Bayswater Council Plan 2025 – 2035, the following applies:

Key Result Area:	Built
Outcome 2.1	A Connected and Accessible City
Objective 2.1.2	Create liveable neighbourhoods and centres that include consideration of our built heritage.
Key Result Area:	Leadership and Governance
Outcome 5.2	Stakeholder Leadership
Objective 5.2.2	Provide excellent customer service and ensure the City is easy to do business with.
Key Result Area:	Leadership and Governance
Outcome 5.3	Optimised Performance
Objective 5.3.1	Focus on operational efficiency, effective delivery and innovation to ensure our services are fit for purpose, contemporary and secure.

CONCLUSION

In considering the State Government's current position on planning reform, including the current major review of the R-Codes, the draft amended *Residential Development Local Planning Policy* will provide early and effective measures for new and existing housing within the City to achieve a deemed-to-comply approval pathway without having a detrimental impact on local amenity.

In light of the above, it is recommended that Council adopts the draft amended *Residential Development Local Planning Policy*, as contained in **Attachment 3**.



Residential Development Policy

Responsible Division	Community Services
Responsible Business Unit	Community Planning
Responsible Officer	Manager Community Planning
Affected Business Units	Regulatory Services
ECM Document Set ID	[ECM document set ID]

Purpose

To improve development outcomes and planning processes related to residential development within the City of Bayswater by amending, replacing and augmenting the deemed-to-comply requirements of the R-Codes.

This Local Planning Policy is prepared in accordance with Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Clause 3.1 of the *Residential Design Codes Volume 1* (R-Codes).

Scope

1. This Policy applies to all land within the City of Bayswater subject to *Town Planning Scheme No. 24* (TPS24) where a dwelling is permitted.
2. This Policy amends and replaces selected provisions of the *Residential Design Codes* (R-Codes) and is to be read in conjunction with it. The R-Codes continue to apply in all instances except where provisions are varied by this policy.
3. This policy does not apply to:
 - a. Land or buildings entered on the State Register of Heritage Places under the *Heritage Act 2018*; or
 - b. Land or buildings the subject of an order under the *Heritage Act 2018* Part 4 or Part 11, Division 4; or
 - c. Land or buildings included on the City of Bayswater Heritage List; or
 - d. Land or buildings within an area designated under TPS 24 as a Heritage Area; or
 - e. Land or buildings subject to a Heritage Agreement entered into under the *Heritage Act 2018*; or
 - f. Development required to be referred by the Metropolitan Region Scheme Instrument of Delegation prior to determination; or

- g. Land subject to the bushfire requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*; or
 - h. Development which includes the removal of trees.
4. This policy does not exempt any requirement for approval to be sought under other legislation (e.g. the *Building Act 2011*).

Objectives

1. To streamline residential development within the City of Bayswater by replacing and amending clauses of the R-Codes which will not have an adverse impact on the overall amenity of the locality or built form outcomes.
2. Provide clear local variations to the R-Codes to support residential development within the City of Bayswater.
3. Improve certainty and consistency in decision making for residential development by identifying locally appropriate planning standards.

Definitions

For the purpose of this policy, terms have the meaning given in the R-Codes.

Policy Statement

The following amends, replaces or augments the relevant clause of the *Residential Design Codes Volume 1 Part B*.

Context

Residential Design Codes Clause	Replacement/Modification to Clause
5.1.2 Street setback	C2.1iii is replaced with the following: any area of the building can protrude up to 50 percent into the street setback area, to a maximum of 50 percent of the lot frontage.

5.1.3 Lot boundary setbacks

C3.1i is replaced with the following:

• Buildings set back from lot boundaries in accordance with the table below; and

• the second storey of walls shall be setback in accordance with the table below for a maximum wall length of 14m (including any balconies). Where a portion of wall exceeds 14m in length, the wall is to contain a minimum 2m x 2m separation from the lot boundary.

Wall height Rounded to nearest 0.1m	Minimum lot boundary setback
Up to 3.5m	1m
3.6m – 7.0m	1.5m
7.1m – 10.0m	3m
10.1m and above	3m

C3.1ii is replaced with the following:

for carports, patios, verandahs or equivalent structures (with pillars or posts with a horizontal dimension of 450mm by 450mm, or less), the lot boundary setbacks in Table B and Tables 2a and 2b may be reduced to nil to the posts where the structure*:

• is not more than 10m in length and 3.5m in building height;

• is located behind the primary street setback;

• has eaves, gutters and roofs set back at least 450mm from the lot boundary.

C3.2iii is replaced with the following:

in areas coded R30 to R40, walls not higher than 3.5m for two-thirds the length of the balance of the site boundary behind the front setback, to any number of site boundaries.

5.1.6 Building height

C6 is replaced with the following:

Buildings which comply with the following table for category B area buildings, except where stated otherwise in the scheme, the relevant local planning policy, structure plan or local development plan (refer Figure Series 7).

Building category	Maximum height of wall (m)	Maximum total building height (m)	
		Gable, Skillion and concealed roof	Hipped and pitched roof
Category A	3.5	5	7
Category B	7.5	8.5	10.5
Category C	9	10	12

Residential Design Codes Clause	Replacement/Modification to Clause
5.2.1 Setback of garages and carports	C1.2 is replaced with the following: Carports are permitted with a 1.5m primary street setback where: i. the width of the carport does not exceed 60 percent of the frontage; ii. the carport is open to all sides; and iii. the carport does not exceed 3.5m in building height.
5.2.2 Garage width	C2 is replaced with the following: A garage door and its supporting structures (or a garage wall where a garage is aligned parallel to the street) facing the primary street is not to occupy more than 50 per cent of the frontage at the setback line as viewed from the street (refer Figure 8c). This may be increased up to 60 percent where an upper floor or balcony extends a minimum of 25 percent over the garage and the entrance to the dwelling is clearly visible from the primary street.
5.2.5 Sight lines	C5 is amended to include C5.1 and C5.2 with the following additional 'deemed-to-comply' requirements: C5.1 Development no higher than 0.75m above natural ground level within 1.5m of where: i. a driveway that intersects a street, right-of-way or communal street; and ii. two streets that intersect. C5.2 Notwithstanding C5.1, fencing within 1.5m of where a driveway meets a street is permitted subject to the following: i. solid walls to a maximum height of 0.75m above natural ground level ii. one support pier to a maximum height of 1.8m above natural ground level, with a maximum horizontal dimension of 400mm; and iii. Up to two fence panels (including a sliding or swinging gate) may be installed in this area, provided they use open-style infill which individually achieve a minimum 1:10 spacing ratio (e.g. 10mm picket with 100mm spacing between pickets).

Site planning and design

Residential Design Codes Clause	Replacement/Modification to Clause
5.3.1 Outdoor living area	C1.1 is replaced with the following: An outdoor living area to be provided: i. in accordance with Table B; ii. behind the street setback area;

	iii. directly accessible from the primary living space of the dwelling; iv. with a minimum length and dimension of 4m; and v. with at least one-third of the required area without permanent roof cover.
5.3.2 Landscaping	C2.1 is replaced with the following: Landscaping of grouped and multiple dwelling common property and communal open spaces in accordance with the following: - the street setback area developed without car parking, except for visitors' bays; - one tree to provide shade for every four uncovered car parking spaces (in addition to the trees required in C2.2), with the total number of trees to be rounded up to the nearest whole number; and - trees which are greater than 3m in height shall be retained, in communal open space which is provided for the development.
5.3.5 Vehicle access	C5.1 is replaced with the following: Where a road is designated as a distributor road or higher, vehicle access shall be provided from a right-of-way or secondary street where available. C5.4 is replaced with the following: Driveways designed to allow for vehicles to enter the street in forward gear where: - the driveway serves five or more dwellings; - the distance from an on-site car parking space to the street is 30m or more; or - the street to which it connects is designated as a primary distributor or integrator arterial road.
5.3.7 Site works	C7.2 is replaced with the following: Retaining walls and fill within the site and behind the required street setback to comply with Table 4.

Building design

Residential Design Codes Clause	Replacement/Modification to Clause
5.4.3 Outbuildings	C3 is amended as follows: Outbuildings associated with a dwelling site are to: individually or collectively does not exceed 60m² in area of 10 percent in aggregate of the site area, whichever is the lesser;

	ii. set back in accordance with 3.1i of Clause 5.1.3 lot boundary setbacks iii. does not exceed a wall height of 3.0m; iv. does not exceed a ridge height of 4.2m; v. not located within the primary street setback area; and vi. does not reduce the open space and outdoor living requirements in Table B. <i>Note: boundary walls to outbuildings which are less than 10m² and are less than 2.7m high do not contribute to the dimension of boundary walls under clause 5.1.3.</i>
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Related Legislation

Planning and Development (Local Planning Schemes) Regulations 2015

Town Planning Scheme No. 24

Residential Design Codes Volume 1

Draft Development Approval Exemptions Policy

Document details

Relevant delegations	TP-D01		
Risk evaluation	low		
Strategic link	2.1 A Connected and Accessible City 5.2 Stakeholder Leadership 5.3 Optimised Performance		
Council adoption	[date]	Resolution	[item no.]
Next review due	[date]		
Reviewed/modified	[date]	Resolution	[item no.]
Revision details	[description]		



Residential Development Policy

Responsible Division	Community Services
Responsible Business Unit	Community Planning
Responsible Officer	Manager Community Planning
Affected Business Units	Regulatory Services
ECM Document Set ID	[ECM document set ID]

Purpose

To improve development outcomes and planning processes related to residential development within the City of Bayswater by amending, replacing and augmenting the deemed-to-comply requirements of the R-Codes.

This Local Planning Policy is prepared in accordance with Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Clause 3.1 of the *Residential Design Codes Volume 1* (R-Codes).

Scope

1. This Policy applies to all land within the City of Bayswater subject to *Town Planning Scheme No. 24* (TPS24) where a dwelling is permitted.
2. This Policy amends and replaces selected provisions of the *Residential Design Codes* (R-Codes) and is to be read in conjunction with it. The R-Codes continue to apply in all instances except where provisions are varied by this policy.
3. This policy does not apply to:
 - a. Land or buildings entered on the State Register of Heritage Places under the *Heritage Act 2018*; or
 - b. Land or buildings the subject of an order under the *Heritage Act 2018* Part 4 or Part 11, Division 4; or
 - c. Land or buildings included on the City of Bayswater Heritage List; or
 - d. Land or buildings within an area designated under TPS 24 as a Heritage Area; or
 - e. Land or buildings subject to a Heritage Agreement entered into under the *Heritage Act 2018*; or
 - f. Development required to be referred by the Metropolitan Region Scheme Instrument of Delegation prior to determination; or

- g. Land subject to the bushfire requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*; or
 - h. Development which includes the removal of trees.
4. This policy does not exempt any requirement for approval to be sought under other legislation (e.g. the *Building Act 2011*).

Objectives

1. To streamline residential development within the City of Bayswater by replacing and amending clauses of the R-Codes which will not have an adverse impact on the overall amenity of the locality or built form outcomes.
2. Provide clear local variations to the R-Codes to support residential development within the City of Bayswater.
3. Improve certainty and consistency in decision making for residential development by identifying locally appropriate planning standards.

Definitions

For the purpose of this policy, terms have the meaning given in the R-Codes.

Policy Statement

The following amends, replaces or augments the relevant clause of the *Residential Design Codes Volume 1 Part B*.

Context

Residential Design Codes Clause	Replacement/Modification to Clause
5.1.2 Street setback	C2.1iii is replaced with the following: any area of the building can protrude up to 50 percent into the street setback area, to a maximum of 50 percent of the lot frontage.

5.1.3 Lot boundary setbacks

C3.1i is replaced with the following:

Buildings set back from lot boundaries in accordance with the table below; and

the second storey of walls shall be setback in accordance with the table below for a maximum wall length of 14m (including any balconies). Where a portion of wall exceeds 14m in length, the wall is to contain a minimum 2m x 2m separation from the lot boundary.

Wall height Rounded to nearest 0.1m	Minimum lot boundary setback
Up to 3.5m	1m
3.6m – 7.0m	1.5m
7.1m – 10.0m	3m
10.1m and above	3m

C3.1ii is replaced with the following:

for carports, patios, verandahs or equivalent structures (with pillars or posts with a horizontal dimension of 450mm by 450mm, or less), the lot boundary setbacks in Table B and Tables 2a and 2b may be reduced to nil to the posts where the structure*:

is not more than 10m in length and 3.5m in building height;

is located behind the primary street setback;

has eaves, gutters and roofs set back at least 450mm from the lot boundary.

C3.2iii is replaced with the following:

in areas coded R30 to R40, walls not higher than 3.5m for two-thirds the length of the balance of the site boundary behind the front setback, to any number of site boundaries.

5.1.6 Building height

C6 is replaced with the following:

Buildings which comply with the following table for category B area buildings, except where stated otherwise in the scheme, the relevant local planning policy, structure plan or local development plan (refer Figure Series 7).

Building category	Maximum height of wall (m)	Maximum total building height (m)	
		Gable, Skillion and concealed roof	Hipped and pitched roof
Category A	3.5	5	7
Category B	7.5	8.5	10.5
Category C	9	10	12

Residential Design Codes Clause	Replacement/Modification to Clause
5.2.1 Setback of garages and carports	C1.2 is replaced with the following: Carports are permitted with a 1.5m primary street setback where: i. the width of the carport does not exceed 60 percent of the frontage; ii. the carport is open to all sides; and iii. the carport does not exceed 3.5m in building height.
5.2.2 Garage width	C2 is replaced with the following: A garage door and its supporting structures (or a garage wall where a garage is aligned parallel to the street) facing the primary street is not to occupy more than 50 per cent of the frontage at the setback line as viewed from the street (refer Figure 8c). This may be increased up to 60 percent where an upper floor or balcony extends a minimum of 25 percent over the garage and the entrance to the dwelling is clearly visible from the primary street.
5.2.5 Sight lines	C5 is amended to include C5.1 and C5.2 with the following additional 'deemed-to-comply' requirements: C5.1 Development no higher than 0.75m above natural ground level within 1.5m of where: i. a driveway that intersects a street, right-of-way or communal street; and ii. two streets that intersect. C5.2 Notwithstanding C5.1, fencing within 1.5m of where a driveway meets a street is permitted subject to the following: i. solid walls to a maximum height of 0.75m above natural ground level ii. one support pier to a maximum height of 1.8m above natural ground level, with a maximum horizontal dimension of 400mm; and iii. Up to two fence panels (including a sliding or swinging gate) may be installed in this area, provided they use open-style infill which individually achieve a minimum 1:10 spacing ratio (e.g. 10mm picket with 100mm spacing between pickets).

Site planning and design

Residential Design Codes Clause	Replacement/Modification to Clause
5.3.1 Outdoor living area	~~C1.1 is replaced with the following:~~ ~~An outdoor living area to be provided:~~ ~~i. in accordance with Table B;~~ ~~ii. behind the street setback area;~~

	~~iii. directly accessible from the primary living space of the dwelling;~~ ~~iv. with a minimum length and dimension of 4m; and~~ ~~v. with at least one third of the required area without permanent roof cover.~~
5.3.2 Landscaping	C2.1 is replaced with the following: Landscaping of grouped and multiple dwelling common property and communal open spaces in accordance with the following: ~~i. the street setback area developed without car parking, except for visitors' bays;~~ ~~ii. one tree to provide shade for every four uncovered car parking spaces (in addition to the trees required in C2.2), with the total number of trees to be rounded up to the nearest whole number; and~~ ~~iii. trees which are greater than 3m in height shall be retained, in communal open space which is provided for the development.~~
5.3.5 Vehicle access	C5.1 is replaced with the following: Where a road is designated as a distributor road or higher, vehicle access shall be provided from a right-of-way or secondary street where available. C5.4 is replaced with the following: Driveways designed to allow for vehicles to enter the street in forward gear where: ~~• the driveway serves five or more dwellings;~~ ~~• the distance from an on-site car parking space to the street is 30m or more; or~~ ~~• the street to which it connects is designated as a primary distributor or integrator arterial road.~~
5.3.7 Site works	C7.2 is replaced with the following: Retaining walls and fill within the site and behind the required street setback to comply with Table 4.

Building design

Residential Design Codes Clause	Replacement/Modification to Clause
5.4.3 Outbuildings	C3 is amended as follows: Outbuildings associated with a dwelling site are to: i. individually or collectively does not exceed 60m² in area of 10 percent in aggregate of the site area, whichever is the lesser;

	ii. set back in accordance with 3.1i of Clause 5.1.3 lot boundary setbacks iii. does not exceed a wall height of 3.0m; iv. does not exceed a ridge height of 4.2m; v. not located within the primary street setback area; and vi. does not reduce the open space and outdoor living requirements in Table B. <i>Note: boundary walls to outbuildings which are less than 10m² and are less than 2.7m high do not contribute to the dimension of boundary walls under clause 5.1.3.</i>
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Related Legislation

Planning and Development (Local Planning Schemes) Regulations 2015

Town Planning Scheme No. 24

Residential Design Codes Volume 1

Development Approval Exemptions Local Planning Policy

Document details

Relevant delegations	TP-D01		
Risk evaluation	low		
Strategic link	2.1 A Connected and Accessible City 5.2 Stakeholder Leadership 5.3 Optimised Performance		
Council adoption	[date]	Resolution	[item no.]
Next review due	[date]		
Reviewed/modified	[date]	Resolution	[item no.]
Revision details	[description]		



Residential Development Policy

Responsible Division	Community Services
Responsible Business Unit	Community Planning
Responsible Officer	Manager Community Planning
Affected Business Units	Regulatory Services
ECM Document Set ID	[ECM document set ID]

Purpose

To improve development outcomes and planning processes related to residential development within the City of Bayswater by amending, replacing and augmenting the deemed-to-comply requirements of the R-Codes.

This Local Planning Policy is prepared in accordance with Schedule 2, Part 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and Clause 3.1 of the *Residential Design Codes Volume 1* (R-Codes).

Scope

1. This Policy applies to all land within the City of Bayswater subject to *Town Planning Scheme No. 24* (TPS24) where a dwelling is permitted.
2. This Policy amends and replaces selected provisions of the *Residential Design Codes* (R-Codes) and is to be read in conjunction with it. The R-Codes continue to apply in all instances except where provisions are varied by this policy.
3. This policy does not apply to:
 - a. Land or buildings entered on the State Register of Heritage Places under the *Heritage Act 2018*; or
 - b. Land or buildings the subject of an order under the *Heritage Act 2018* Part 4 or Part 11, Division 4; or
 - c. Land or buildings included on the City of Bayswater Heritage List; or
 - d. Land or buildings within an area designated under TPS 24 as a Heritage Area; or
 - e. Land or buildings subject to a Heritage Agreement entered into under the *Heritage Act 2018*; or
 - f. Development required to be referred by the Metropolitan Region Scheme Instrument of Delegation prior to determination; or

- g. Land subject to the bushfire requirements of the *Planning and Development (Local Planning Schemes) Regulations 2015*; or
 - h. Development which includes the removal of trees.
4. This policy does not exempt any requirement for approval to be sought under other legislation (e.g. the *Building Act 2011*).

Objectives

1. To streamline residential development within the City of Bayswater by replacing and amending clauses of the R-Codes which will not have an adverse impact on the overall amenity of the locality or built form outcomes.
2. Provide clear local variations to the R-Codes to support residential development within the City of Bayswater.
3. Improve certainty and consistency in decision making for residential development by identifying locally appropriate planning standards.

Definitions

For the purpose of this policy, terms have the meaning given in the R-Codes.

Policy Statement

The following amends, replaces or augments the relevant clause of the *Residential Design Codes Volume 1 Part B*.

Context

Residential Design Codes Clause	Replacement/Modification to Clause
5.1.2 Street setback	C2.1iii is replaced with the following: any area of the building can protrude up to 50 percent into the street setback area, to a maximum of 50 percent of the lot frontage.
5.1.3 Lot boundary setbacks	C3.2iii is replaced with the following: in areas coded R30 to R40, walls not higher than 3.5m for two-thirds the length of the balance of the site boundary behind the front setback, to any number of site boundaries.
5.1.6 Building height	C6 is replaced with the following: Buildings which comply with the following table for category B area buildings, except where stated otherwise in the scheme, the relevant local planning policy, structure plan or local development plan (refer Figure Series 7).

	Building category	Maximum height of wall (m)	Maximum total building height (m)	
			Gable, Skillion and concealed roof	Hipped and pitched roof
	Category A	3.5	5	7
	Category B	7.5	8.5	10.5
	Category C	9	10	12

Streetscape

Residential Design Codes Clause	Replacement/Modification to Clause
5.2.1 Setback of garages and carports	C1.2 is replaced with the following: Carports are permitted with a 1.5m primary street setback where: i. the width of the carport does not exceed 60 percent of the frontage; ii. the carport is open to all sides; and iii. the carport does not exceed 3.5m in building height.
5.2.2 Garage width	C2 is replaced with the following: A garage door and its supporting structures (or a garage wall where a garage is aligned parallel to the street) facing the primary street is not to occupy more than 50 per cent of the frontage at the setback line as viewed from the street (refer Figure 8c). This may be increased up to 60 percent where an upper floor or balcony extends a minimum of 25 percent over the garage and the entrance to the dwelling is clearly visible from the primary street.
5.2.5 Sight lines	C5 is amended to include C5.1 and C5.2 with the following additional 'deemed-to-comply' requirements: C5.1 Development no higher than 0.75m above natural ground level within 1.5m of where: i. a driveway that intersects a street, right-of-way or communal street; and ii. two streets that intersect. C5.2 Notwithstanding C5.1, fencing within 1.5m of where a driveway meets a street is permitted subject to the following: i. solid walls to a maximum height of 0.75m above natural ground level ii. one support pier to a maximum height of 1.8m above natural ground level, with a maximum horizontal dimension of 400mm; and iii. Up to two fence panels (including a sliding or swinging gate) may be installed in this area, provided they use open-style infill which individually achieve a minimum 1:10 spacing ratio (e.g. 10mm picket with 100mm spacing between pickets).

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Site planning and design

Residential Design Codes Clause	Replacement/Modification to Clause
5.3.5 Vehicle access	C5.1 is replaced with the following: Where a road is designated as a distributor road or higher, vehicle access shall be provided from a right-of-way or secondary street where available.
5.3.7 Site works	C7.2 is replaced with the following: Retaining walls and fill within the site and behind the required street setback to comply with Table 4.

Building design

Residential Design Codes Clause	Replacement/Modification to Clause
5.4.3 Outbuildings	C3 is amended as follows: Outbuildings associated with a dwelling site are to: i. individually or collectively does not exceed 60m² in area of 10 percent in aggregate of the site area, whichever is the lesser; ii. set back in accordance with 3.1i of Clause 5.1.3 lot boundary setbacks iii. does not exceed a wall height of 3.0m; iv. does not exceed a ridge height of 4.2m; v. not located within the primary street setback area; and vi. does not reduce the open space and outdoor living requirements in Table B. <i>Note: boundary walls to outbuildings which are less than 10m² and are less than 2.7m high do not contribute to the dimension of boundary walls under clause 5.1.3.</i>

Related Legislation

Planning and Development (Local Planning Schemes) Regulations 2015

Town Planning Scheme No. 24

Residential Design Codes Volume 1

Development Approval Exemptions Local Planning Policy

Document details

Relevant delegations	TP-D01		
Risk evaluation	low		
Strategic link	2.1 A Connected and Accessible City 5.2 Stakeholder Leadership 5.3 Optimised Performance		
Council adoption	[date]	Resolution	[item no.]
Next review due	[date]		
Reviewed/modified	[date]	Resolution	[item no.]
Revision details	[description]		

The provisions below do not require WAPC approval to be retained:

Current Provision	Proposed Provision	Rationale
<i>Clause 5.1.2 Street setback</i>		
C2.1iii. reduced by up to 50 per cent provided that the area of any building, including a garage encroaching into the setback area, is compensated for by at least an equal area of open space that is located between the street setback line and a line drawn parallel to it at twice the setback distance (refer Figure 2a and 2c).	Replace C2.1iii. as follows: any area of the building can protrude up to 50 percent into the street setback area, to a maximum of 50 percent of the lot frontage.	The modification to the clause removes the needs for average setback calculations, which have the potential to have inconsistent results, particularly where lots are an irregular shape. A building protruding forward to half the required setback (e.g. 3m where 6m is DTC) is considered to reduce bulk to the street regardless of the setback of the remaining portion of the building.
<i>Clause 5.1.3 Lot boundary setback</i>		
C3.2iii in areas coded R30 to R40, walls not higher than 3.5m for two-thirds the length of the balance of the site boundary behind the front setback, to up to two site boundaries.	Replace C3.2iii as follows: in areas coded R30 to R40, walls not higher than 3.5m for two-thirds the length of the balance of the site boundary behind the front setback, to any number of site boundaries.	In practice 'any number' of boundaries' would relate to one additional boundary than the current clause permits, as no boundary wall is permitted to the street boundary. For angled lots or lots with multiple boundaries, boundary walls may result in more effective use of space on site and restricting the number could have an impact on a dwellings functionality. The addition of boundary walls will not impact any single adjoining property as the walls will be to separate boundaries. Open space and OLA requirements remain as per the DTC, so additional boundary walls will not reduce space or increase bulk on the site.
<i>Clause 5.1.6 Building height</i>		
C6 Buildings which comply with Table 3 for category B area buildings, except where stated otherwise in the	Replace C6 as follows: Buildings which comply with the following table for category B area buildings, except where stated otherwise in the	The increase by 0.5m to the building height limits will allow for character retention with new dwellings and or additions more likely to achieve the roof pitch

Current Provision	Proposed Provision	Rationale																		
scheme, the relevant local planning policy, structure plan or local development plan (refer Figure Series 7).	scheme, the relevant local planning policy, structure plan or local development plan (refer Figure Series 7). <table><tr><th rowspan="2">Building category</th><th rowspan="2">Maximum height of wall (m)</th><th colspan="2">Maximum total building height (m)</th></tr><tr><th>Gable, Skillion and concealed roof</th><th>Hipped and pitched roof</th></tr><tr><td>Category A</td><td>3.5</td><td>5</td><td>7</td></tr><tr><td>Category B</td><td>7.5</td><td>8.5</td><td>10.5</td></tr><tr><td>Category C</td><td>9</td><td>10</td><td>12</td></tr></table>	Building category	Maximum height of wall (m)	Maximum total building height (m)		Gable, Skillion and concealed roof	Hipped and pitched roof	Category A	3.5	5	7	Category B	7.5	8.5	10.5	Category C	9	10	12	heights and allow for smaller lots to have greater floor to ceiling heights. The additional heights are considered to be negligible and have little impact on the existing and desired heights and streetscapes within the City. It should be noted that any existing City policies which have building height restricts will take precedence over this policy.
Building category	Maximum height of wall (m)			Maximum total building height (m)																
		Gable, Skillion and concealed roof	Hipped and pitched roof																	
Category A	3.5	5	7																	
Category B	7.5	8.5	10.5																	
Category C	9	10	12																	
Clause 5.2.1 Setback of garages and carports																				
C1.2 Carports set back in accordance with the primary street setback requirements of clause 5.1.2 C2.1(i), except that the setback may be reduced by up to 50 per cent of the minimum setback stated in Table B where: i. the width of the carport does not exceed 60 per cent of the frontage; ii. the construction allows an unobstructed view between the dwelling and the street, right-of way or equivalent; and iii. the carport roof pitch, colours and materials are compatible with the dwelling.	Replace C1.2 as follows: Carports are permitted with a 1.5m primary street setback where: i. the width of the carport does not exceed 60 percent of the frontage; ii. the carport is open to all sides; and iii. the carport does not exceed 3.5m in building height.	The reduction in the setback of a carport to the street is considered appropriate without significantly compromising the appearance of the streetscape as carports are open structures. Given the structures are open, it is not considered detrimental that the structure is compatible with the existing dwelling, particularly when considering roof pitch. The height will ensure that carports are of a sufficient height for larger vehicles, without seeing carports dominating the visual appearance of the respective dwelling.																		
Clause 5.2.2 Garage width																				
C2 A garage door and its supporting structures (or a garage wall where a garage is aligned parallel to the street) facing the primary street is not to occupy more than 50 per cent of the frontage at the setback line as viewed from the street (refer Figure 8c). This may be increased up to	Replace C2 as follows: A garage door and its supporting structures (or a garage wall where a garage is aligned parallel to the street) facing the primary street is not to occupy more than 50 percent of the frontage at the setback line as viewed from the street (refer Figure 8c). This may be increased up to	It is considered that any portion of an upper floor extending over a garage below assists in mitigating bulk as viewed from the street. Having 25 percent of the garage width ensures that the extension of the upper floor has depth and will provide for articulation to the street.																		

Current Provision	Proposed Provision	Rationale
60 per cent where an upper floor or balcony extends for more than half the width of the garage and its supporting structures (or a garage wall where a garage is aligned parallel to the street) and the entrance to the dwelling is clearly visible from the primary street.	60 percent where an upper floor or balcony extends a minimum of 25 percent over the garage and the entrance to the dwelling is clearly visible from the primary street.	
<i>Clause 5.2.5 Sight lines</i>		
C5 Walls, fences and other structures truncated or reduced to no higher than 0.75m within 1.5m of where walls, fences, or other structures adjoin: i. a driveway that intersects a street, right-of-way or communal street; ii. a right-of-way or communal street that intersects a public street; and iii. two streets that intersect. (refer Figure 9a)	Amend C5 as follows to include an additional deemed-to-comply requirement: C5.1 Development no higher than 0.75m above natural ground level within 1.5m of where: i. a driveway that intersects a street, right-of-way or communal street; and ii. two streets that intersect. C5.2 Notwithstanding C5.1, fencing within 1.5m of where a driveway meets a street is permitted subject to the following: i. solid walls to a maximum of 0.75m above natural ground level; ii. one support pier to a maximum height of 1.8m above natural ground level, with a maximum horizontal dimension of 400mm; and iii. up to two fencing panels (inclusive of a sliding or swinging gate) may be installed in this area, provided they use open style infill which individually	The inclusion of above natural ground level will result in the height of the wall being more relative to the existing site levels for individual development sites and will improve visual sight lines. The pier width of 400mm is considered to allow for adequate sight lines provided the infill fencing adjoining the pier and within the 1.5m truncation area is open style and the solid portion of fence does not exceed 0.75m high.

Current Provision	Proposed Provision	Rationale
	achieve a minimum 1:10 spacing ratio (e.g. 10mm picket with 100mm spacing between pickets).	
Clause 5.3.5 Vehicle access		
C5.1 Access to on-site car parking spaces to be provided: • where available, from a communal street or right-of-way available for lawful use to access the relevant site and which is adequately paved and drained from the property boundary to a constructed street; or • from a secondary street where no right-of-way or communal street exists; or • from the primary street frontage where no secondary street, right-of way, or communal street exists.	Replace C5.1 with the following: Where a road is a designated as a distributor road or higher, vehicle access shall be provided from a right-of-way or secondary street where available.	Vehicle access being from the same street as the front door to a dwelling (where there are dual frontages), is considered appropriate expect where the road is a distributor road or higher. At present, where a lot has two frontages, vehicle access (car parking areas) are to be located on the opposite frontage to the primary entry of the dwelling, with no engineering or traffic requirements for this to occur. This can lead to confusion for visitors to a site and alter a dwellings design, layout and functionality.
Clause 5.3.7 Site works		
C7.2 Retaining walls, fill and excavation within the site and behind the required street setback to comply with Table 4.	Replace C7.2 as follows: Retaining walls and fill within the site and behind the required street setback to comply with Table 4.	The removal of excavation in the deemed-to-comply requirement is considered to have little impact on adjoining properties from a planning assessment perspective, particularly as retaining walls will still be considered. Excessive excavation would require appropriate measures to ensure impacts to neighbouring properties is mitigated through the building process.
Clause 5.4.3 Outbuildings		
C3 Outbuildings associated with a dwelling site address either: - the standards for small outbuildings (A. Small outbuilding); or - the standards for large and multiple	Amend C3 as follows: Outbuildings associated with a dwelling site are to: individually or collectively does not exceed 60m² in area of 10 percent in	The outbuildings requirements have changed over time with the focus on smaller outbuilding being exempt from planning approval. The removal of the 'small' and 'large' outbuilding provisions and

Current Provision	Proposed Provision	Rationale
outbuildings (B. Large and multiple outbuildings) A. Small outbuilding i. no more than one outbuilding per dwelling site; ii. has no more than two boundary walls; iii. does not exceed 60m² in area; iv. does not exceed a wall height of 2.7m; v. not located within the primary or secondary street setback area; and vi. does not reduce open space and outdoor living area requirements in Table B. OR B. Large and multiple outbuildings i. individually or collectively does not exceed 60m² in area or 10 percent in aggregate of the site area, whichever is the lesser; ii. set back in accordance with Table B; iii. does not exceed a wall height of 2.4m; iv. does not exceed a ridge height of 4.2m; v. not located within the primary or secondary street setback area; and vi. does not reduce the open space and outdoor living area requirements in Table B.	aggregate of the site area, whichever is the lesser; ii. set back in accordance with 3.1.i of Clause 5.1.3 lot boundary setbacks iii. does not exceed a wall height of 3.0m; iv. does not exceed a ridge height of 4.2m; v. not located within the primary street setback area; and vi. does not reduce the open space and outdoor living requirements in Table B. <i>Note: boundary walls to outbuildings which are less than 10m² and are less than 2.7m high do not contribute to the dimension of boundary walls under clause 5.1.3.</i>	reverting to one provision for all outbuildings will not result in additional requirements for small scale outbuildings as they can be incorporated into the overall requirement. The 3.0m wall height, and the overall height (ridge to 4.2m) will allow for more residents to have outbuildings which do not require development approval. The 3m wall height is consistent with the heights for boundary wall and lot boundary setback wall height and is of a height which will allow for sufficient clearances for multiple uses in the space.

Following consultation, the above can be considered by Council and be operational.

The provisions below will require consent from the WAPC prior to implementation, and are therefore recommended to be removed from the draft Local Planning Policy:

Current Provision	Proposed Provision	Rationale										
Clause 5.1.3 Lot boundary setback												
C3.1i. buildings set back from lot boundaries in accordance with Table B and Tables 2a and 2b (refer to Figure Series 3 and 4)	C3.1i is replaced with the following: - Buildings set back from lot boundaries in accordance with the table below; and - the second storey of walls shall be setback in accordance with the table below for a maximum wall length of 14m (including any balconies). Where a portion of wall exceeds 14m in length, the wall is to contain a minimum 2m x 2m separation from the lot boundary. <table><tr><th>Wall height Rounded to nearest 0.1m</th><th>Minimum lot boundary setback</th></tr><tr><td>Up to 3.5m</td><td>1m</td></tr><tr><td>3.6m – 7.0m</td><td>1.5m</td></tr><tr><td>7.1m – 10.0m</td><td>3m</td></tr><tr><td>10.1m and above</td><td>3m</td></tr></table>	Wall height Rounded to nearest 0.1m	Minimum lot boundary setback	Up to 3.5m	1m	3.6m – 7.0m	1.5m	7.1m – 10.0m	3m	10.1m and above	3m	The existing setbacks specified in Tables 2a and 2b results in discrepancies in assessments, within the City and across the local governments. Aligning setback assessments (the proposed provision) to be as per Part C creates less ambiguity and ease of assessment for officers and developers and the public.
Wall height Rounded to nearest 0.1m	Minimum lot boundary setback											
Up to 3.5m	1m											
3.6m – 7.0m	1.5m											
7.1m – 10.0m	3m											
10.1m and above	3m											
C3.1ii. for carports, patios, verandahs or equivalent structures, the lot boundary setbacks in Table B and Tables 2a and 2b may be reduced to nil to the posts where the structure*: - is not more than 10m in length and 2.7m in height; - is located behind the primary street setback; and - has eaves, gutters and roofs set back at least 450mm from the lot boundary.	C3.1ii is replaced with the following: for carports, patios, verandahs or equivalent structures (with pillars or posts with a horizontal dimension of 450mm by 450mm, or less), the lot boundary setbacks in Table B and Tables 2a and 2b may be reduced to nil to the posts where the structure*: - is not more than 10m in length and 3.5m in building height; - is located behind the primary street setback; and - has eaves, gutters and roofs set back at least 450mm from the lot boundary.	The 3.5m height is consistent with the lot boundary setback requirements, with these open structures having less of an impact on the adjoining property being open. The 3.5m incorporates the overall height (ie to a pitch and concealed roof).										
Clause 5.3.1 Outdoor living area												
C1.1 An outdoor living area to be provided:	Replace C1.1 as follows: An outdoor living area to be provided:	With open space provisions in place, an additional portion of a covered outdoor living area										

Current Provision	Proposed Provision	Rationale
i. in accordance with Table B; ii. behind the street setback area; iii. directly accessible from the primary living space of the dwelling; iv. with a minimum length and dimension of 4m; and v. with at least two-thirds of the required area without permanent roof cover.	i. in accordance with Table B; ii. behind the street setback area; iii. directly accessible from the primary living space of the dwelling; iv. with a minimum length and dimension of 4m; and v. with at least one-third of the required area without permanent roof cover.	(OLA) will not have a significant impact on open areas around the development site. An increase covered OLA will provide for additional area within a site for occupants to recreate year-round during the varying weather condition.
Clause 5.3.2 Landscaping		
C2.1 Landscaping of grouped and multiple dwelling common property and communal open spaces in accordance with the following: i. the street setback area developed without car parking, except for visitors' bays; ii. pedestrian access providing wheelchair accessibility connecting entries to all ground floor buildings with the public footpath and car parking areas; iii. one tree to provide shade for every four uncovered car parking spaces (in addition to the trees required in C2.2), with the total number of trees to be rounded up to the nearest whole number; iv. lighting to pathways, and communal open space and car parking areas; v. bin storage areas conveniently located and screened from view;	C2.1 is replaced with the following: Landscaping of grouped and multiple dwelling common property and communal open spaces in accordance with the following: i. the street setback area developed without car parking, except for visitors' bays; ii. one tree to provide shade for every four uncovered car parking spaces (in addition to the trees required in C2.2), with the total number of trees to be rounded up to the nearest whole number; and iii. trees which are greater than 3m in height shall be retained, in communal open space which is provided for the development.	The existing landscaping clause includes a number of provisions which are not relevant to providing landscaping on site. The modification to the clause removes the elements which do not relate to landscaping and therefore simplifies the requirements and makes the provision more legible and applicable.

Current Provision	Proposed Provision	Rationale
vi. trees which are greater than 3m in height shall be retained, in communal open space which is provided for the development; vii. adequate sightlines for pedestrians and vehicles; viii. clear line of sight between areas designated as communal open space and at least two habitable room windows; and ix. clothes drying areas which are secure and screened from view.		
<i>Clause 5.3.5 Vehicle access</i>		
C5.4 Driveways designed for two-way access to allow for vehicles to enter the street in forward gear where: - the driveway serves five or more dwellings; - the distance from an on-site car parking space to the street is 15m or more; or - the street to which it connects is designated as a primary distributor or integrator arterial road.	Replace C5.4 as follows: Driveways designed to allow for vehicles to enter the street in forward gear where: - the driveway serves five or more dwellings; - the distance from an on-site car parking space to the street is 30m or more; or - the street to which it connects is designated as a primary distributor or integrator arterial road.	The modification relates to the reversing distance a vehicle is permitted to make, increasing this from 15m to 30m. This change is consistent with Part C of the R-Codes and as such considered to be appropriate and provide for a consistent approach. Previous discussions with the Department of Planning Lands and Heritage, note that the change should occur in the next revision of the R-Codes.

Summary of Submissions

No.	Support / Object	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
1	Support	I reside/own a residential property in the City of Bayswater	Density should be increased further. Changes to set back to outbuildings is good, however more can be done to increase density	Noted. The draft policy is not an appropriate mechanism for increasing density. Changes to density can be considered as part of the Local Planning Scheme review.
2	Support	I reside/own a residential property in the City of Bayswater	No comment.	Noted.
3	Support	I reside/own a residential property in the City of Bayswater	No comment.	Noted.
4	Support	I reside/own a residential property in the City of Bayswater	The proposed draft attempts to address ambiguities and unnecessary complications in the existing policy. I think it does this fairly well.	Noted.
			Clause 5.1.2 Street setback: This is a good variation and allows better house design without the detrimental effect of C2.1iii in requiring equal compensation into the S2 area	Noted.
			Clause 5.1.3 Lot boundary setbacks: - Agree with modification to C3.1i as existing is to complex. - Agree with modifications to C3.1ii as the pillar size and heights would have allowed development of carport to be extension from main dwelling roof rather than a new stand alone structure	Noted.
			Clause 5.1.6 Building height: Agreed. Increasing roof height by 0.5m will allow for better drainage from the roof and allow better roof space for access to roof services.	Noted.
			Clause 5.2.1 Setback of garages and carports: Agreed. Modifications to reduce ambiguity, in particular to C1.2iii where the current requirement is vague and open to interpretation.	Noted.
			Clause 5.2.2 Garage width Agreed. The inclusion of specifying the minimum 25 percent extension of upper floor provides specific clarity.	Noted.
			Clause 5.2.5 Sight lines:	Noted.

No.	Support / Object	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
			Agreed. Modification to include C5.2 provides clear guidelines for fences to the street boundary that are not at intersections.	
			Clause 5.3.1 Outdoor living area (OLA): Agreed, particularly the modification of only one-third of the required OLA being without permanent roof cover.	Noted.
			Clause 5.3.2 Landscaping - Disagree with removal of existing C2.1ii which relates to wheelchair access and 2.1iv which relates to lighting. - Agree with remaining changes.	Noted. The subject provisions are not considered to be an appropriate consideration for "landscaping" and add unnecessary complexity to the assessment of landscaping as part of low density residential development. Compliance with accessibility related Australian Standards is also captured as part of the dwelling's demonstrated compliance with the National Construction Code for it's Building Permit. Notwithstanding, this provision is recommended to be removed from the draft policy.
			Clause 5.3.5 Vehicle access - Agreed. - C5.1 removes ambiguity. - C5.4 30m distance to reverse results in wider driveways to accommodate for 2 way access. Larger blocks often have on site parking >15m from street	Noted.
			Clause 5.3.7 Site works: Agree with removal of 'excavation' from standards.	Noted.
			Clause 5.4.3 Outbuilding: Agree with combining and condensing the two tables.	Noted.
5	Support	I reside/own a residential property in the City of Bayswater	No comment.	Noted.
6	Support	I reside/own a residential property in the City of Bayswater	No comment.	Noted.
7	Support	I reside/own a residential property in the City of Bayswater	No comment.	Noted.

No.	Support / Object	Interest in the Proposal	Summary of Submission	City of Bayswater Comments
8	Support	I reside/own a residential property in the City of Bayswater	No comment.	Noted.
9	Support	I reside/own a residential property in the City of Bayswater	No comment.	Noted.
10	Support	I reside/own a residential property in the City of Bayswater	Particularly support the requirement for more tree cover in larger developments.	Noted. Tree cover is a provision of the R-Codes.

COMMITTEE RESOLUTION - ADOPTION BY EXCEPTION

That the recommendations relating to items 9.2.2 and 9.2.4 contained in the agenda be adopted by exception as per clause 5.5 of the *City of Bayswater Standing Orders Local Law 2021*.

Cr Cale Black Moved, Cr Calla Loiacono Seconded

CARRIED UNANIMOUSLY: 5/0

For: Mayor Filomena Piffaretti, Cr Cale Black, Cr Calla Loiacono, Cr Steven Ostaszewskyj and Cr Anthony Pittaway.

Against: Nil.

10 GENERAL BUSINESS

Nil.

11 NEXT MEETING

The next meeting of the Policy Committee will take place in the Committee Room, 61 Broun Avenue, Morley, on Monday, 2 November 2026 commencing at 5:30pm.

12 CLOSURE

There being no further business to discuss, the Presiding Member, Mayor Filomena Piffaretti, declared the meeting closed at 6:29pm.